JOURNAL

OF

The Senate

OF THE

State Of Alabama

REGULAR SESSION, 1959

VOL. II

WITH AN INDEX PREPARED BY THE SECRETARY OF THE SENATE

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REGULAR SESSION, 1959

TWENTIETH LEGISLATIVE DAY

FRIDAY, SEPTEMBER 18, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend W. H. Swearingen, Pastor, Sampey Memorial Baptist Church, Ramer, Alabama.

ROLL CALL

Present:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Rutledge
Archer	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Roberts	Wyatt

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JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is required.

H. 412. To repeal Act No. 669, S. 276, approved September 20, 1957, entitled "An Act To regulate the compensation of certain county em-

ployees of all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census" (Acts of Alabama, Regular Session 1957, Vol. II, p. 1013).

Also:

H. 477. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in DeKalb County, Alabama; to authorize the governing body of said County to expend public funds under its control, therefore to provide for taxing and collecting of additional court costs in certain courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and the designation of personnel to operate said library or to assist therein, and the employment of additional personnel for said purpose and the payment of salaries of such personnel.

Also:

H. 492. Relating to Macon County; amending further Act No. 334, H. 826, enacted September 12, 1939 (Local Acts of 1939, p. 225), which created and established the Board of Revenue of Macon County, by providing further for the compensation of the members of such board; and repealing conflicting laws.

Also:

H. 86. To amend further Section 1 of the Act approved June 16, 1945 (Act No. 115, S. 121, Acts 1945, p. 108) relating to the rehabilitation of alcoholics, so as to change the name of the commission provided for in such act.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 193. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Elmore County.

Also:

H. 478. To amend Sections 19 and 22 of Act No. 608, H. 700, approved September 4, 1951 (Acts of Alabama, 1951, p. 1045), entitled "An Act Relating to the City of Anniston: To establish a Policemen's

and Firemen's Retirement Fund; providing for the resources, management and administration of the Fund, including the payment into the fund by electric, gas, telephone, telegraph and bus transportation public utilities of a license tax equal to one-half of one per cent of the gross revenue of such utilities derived from services rendered within the corporate limits and police jurisdiction of the city; and for the transfer of all monies or property of any similar fund to it; creating a Board of Trustees of the Policemen's and Firemen's Retirement Fund and providing for its organization, powers, duties and functions; providing for the retirement of and payment of benefits to members of the police and fire departments and their dependents and survivors; providing for the payment of disability benefits to disabled members of the police and fire departments; providing for appeals from final decisions of the Board of Trustees; and repealing Act No. 365, H. 601, approved July 6, 1945 (General Acts of Alabama, 1945, p. 581) and all other conflicting laws," by providing further for the amount of retirement benefits payable to such firemen and policemen; by providing further for the payment of pensions to the surviving widows of retired members of the police and fire departments; and giving the amendment retroactive effect as to the payment of pensions to the surviving widows of such retired members of the police and fire departments.

Also:

H. 482. For the relief of D. M. Taylor of Marengo County; authorizing the court of county commissioners, board of revenue, or other like governing body of Greene County to make an appropriation of county funds to compensate D. M. Taylor for certain damages.

Also:

H. 483. To amend Section 9 of the act of June 19, 1947 entitled "An Act relating to privilege licenses: levying an additional tax upon sellers of malt or brewed beverages who are engaged in that business in Greene County; providing for the assessment, collection, and distribution of the proceeds of the tax; defining violations of the Act and prescribing penalties therefor" (Act No. 10, H. 43, Local Acts, 1947 Regular Session, p. 1).

Also:

H. 484. To provide for the appointment of an additional deputy, clerk, or other assistant, by the sheriff of Henry County, and to provide for the payment of his compensation by the county.

Also:

H. 485. To provide secretarial and clerical assistance for the clerk of the circuit court of Henry County.

Also:

H. 486. To provide further for the payment of expenses incurred by the sheriff of Henry County in the performance of his duties.

Also:

H. 497. Relating to Montgomery County: To require locksmiths to obtain annual permits to engage in such business, occupation or trade and as a prerequisite to obtaining such permits to post bonds for themselves and all assistants, helpers or apprentices employed by

them, such bonds to be approved by and filed with the sheriff of the county, who shall issue the permits; to prescribe the fee for issuing such permits and provide for the payment thereof into the county treasury; and to prescribe penalties for violations of this Act.

Also:

H. 499. To provide further for the purging the lists of registered voters in Randolph County; requiring and prescribing the procedure for the re-identification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the re-identification of registered voters; and providing a penalty for willfully making a false statement in connection with re-identification.

Also:

H. 506. To amend further Act No. 273, S. 292, approved August 7, 1947 (1947 Local Acts, p. 196), which is designated "The Civil Service Act of Dothan."

Also:

H. 507. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 10. To amend Section 3 of Act No. 603, entitled "An Act Empowering the Superintendent of Banks to require fees for the examination of all State Banks, Credit Unions and Small Loan Companies", approved September 18, 1957 (General Acts of Alabama 1957, Volume II, page 862).

Also:

H. 208. To amend the act of April 13, 1955 entitled "An Act to fix the salary of the director of the Legislative Reference Service" (Act No. 69, H. 80, 1955 Acts 179).

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 7. To appropriate, in addition to any other appropriation heretofore made for such purposes, out of any funds in the State Treasury

not otherwise appropriated, the sum of $15,000.00 or so much thereof as may be necessary, to be used for payment of attorneys fees in indigent capital cases for the fiscal years ending September 30, 1958 and September 30, 1959, pursuant to the provisions of Title 15, Code of Alabama 1940, as amended.

Also:

H. 158. To amend Section 9 of the act approved September 2, 1949 entitled, "An Act Relating to public health; to regulate, through licensure, hospitals, sanitoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act." (Act No. 530, H. 635, Acts of Alabama 1949, p. 835).

Also:

H. 323. To appropriate out of any funds in the State Treasury not otherwise appropriated the sum of $25,000.00 to the Birmingham Chamber of Commerce to be expended for the Southeastern Regional Exposition of the Department of Defense to be staged in Birmingham, Alabama, December 7-9, 1959, inclusive.

Also:

H. 68. To alter, rearrange, and extend the boundaries of the City of Huntsville in Madison County, providing for a referendum election to determine whether the Act will become effective.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 59. Relative to setting aside Wednesday, September 16, so that all members of the House and Senate who can, may inspect Bryce Hospital and Partlow State School.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 112. To apply in Pickens County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

H. 138. To authorize and provide for the payment of a monthly expense allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties as such Circuit Judge to each Circuit Judge in Judicial Circuits in Alabama composed of one county in Alabama having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last, or any subsequent, federal decennial census, payable out of the County treasury of the County composing such Judicial Circuit.

Also:

H. 427. To amend an Act approved September 6, 1957, entitled "An Act to establish an Inferior Court for Jefferson County, Alabama, to define the jurisdiction and powers of said court, the judge, the clerk and other officers thereof; to provide for a place of holding said court, the terms and salary of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries, and to provide that the Act shall go into effect on the First day of January 1959", and to provide for an annual vacation of the judge of said court.

Also:

H. 435. To regulate the compensation of members of the county board of education in counties having a population of not less than 14,000 nor more than 16,000 inhabitants according to the 1950 federal decennial census.

Also:

H. 441. To alter, rearrange, and extend the boundaries and corporate limits of the town of West Blocton, Bibb County, so as to annex certain territory to the town.

Also:

H. 444. To amend Act No. 581, H. 1044, approved September 19, 1949 (1949 Acts, p. 909), entitled "An Act Relating to Choctaw County: To authorize and direct the governing body of Choctaw County to pay the salaries of clerks for the Tax Assessor and Tax Collector of the county."

Also:

H. 456. To empower the board of revenue, court of county commissioners, or other like governing body of counties having a popula-

tion of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal decennial census, to authorize the offices of officials in the courthouse to be closed all day on Saturday each week.

Also:

H. 472. To provide for making service awards to certain county employees in all counties having a population in excess of 500,000, according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills: the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 58. Relative to the death of Honorable W. W. (Will) Malone and extending sympathy to the members of his family.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Gilchrist, Bounds, Copeland, Bishop, Bailey, Brewer, Oakley, Branyon, Pierce, Adams (Houston), Hearn, Roberts, Turner, Harvey, Reynolds (Madison), Ashworth, Jones (Covington), Smith (Russell), Jones (Monroe), Johnson (Hardaway), Grouby, Gross, Faulk, Franklin, Barnett, Cornett, Casey, Owens, Rogers, Long (Perry), Speaks, Sullivan, Dodd, Ferguson, Torbert, Self, Brannan, Salter, Perry, Meade:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest

and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 102 — To the Committee on Banking

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. deGraffenried and Caffey:

S. 346. To provide for the manner of payment, disposition and use of purchase money paid or payable for sale of any lands belonging to the State of Alabama for the use of the Insane of the State, situated in Mount Vernon Barracks Military Reservation, in Mobile County, Alabama.

Committee on Finance and Taxation.

By Mr. Porter:

S. 347. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms and corporations engaged in the business of lending money in amounts of one thousand dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Committee on Banking.

By Mr. Eddins:

S. 348. Relating to the holding of elections in Marengo County; requiring the court of county commissioners, board of revenue, or other like governing body of Marengo County to provide for the purchase, installation, and use of voting machines in all elections held within the county.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARENGO.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the holding of elections in Marengo County; requiring the court of county commissioners, board of revenue, or other like governing body of Marengo County to provide for the purchase, installation, and use of voting machines in all elections held within the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Marengo County is hereby authorized and required to provide for the purchase, installation, and use of voting machines in all elections held within the county, without first submitting the question of the installation of voting machines to a vote of the qualified electors of the county or of any municipality therein. The purchase, installation, and use of voting machines provided for pursuant to this Act, except as otherwise provided herein, shall be governed by the provisions of Article 7 of Chapter 1, Title 17, Code of Alabama (1940), as amended. The county governing body shall, from time to time, determine the number of voting machines to be used in elections held within the county, and shall alter or rearrange the boundaries of election districts or precincts and designate the places or locations within such election districts or precincts where voting machines shall be used, in order to make the most effective and practical use of such voting machines.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Democrat-Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 7, May 14, May 21, and May 28, all in the year 1959.

R. E. SUTTON.

Sworn to and subscribed before me 1 June, 1959.

L. M. LOWREY, JR.,
Notary Public.

By Messrs. Eddins and Andrews:
S. 349. To amend Sections 278-283 of Title 55, Code of Alabama 1940, in relation to the public library service.

Committee on Judiciary.

By Messrs. Wilson and Eddins:
S. 350. To make an appropriation from the state treasury for the relief of Hallie S. Chapman.

Committee on Finance and Taxation.

By Mr. Caffey:
S. 351. To amend Sections 3, 4, 16, and 17 and to further amend Sections 11 and 30 of Title 19 of the Code of Alabama of 1940 relating to condemnation of land for public purpose.

Committee on Judiciary.

By Mr. Jones:
S. 352. Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's emplovment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that at the next session of the Legislature of Alabama application will be made for the passage and approval of a certain bill or act in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's Employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerk of the Circuit Clerk of Elmore County, Alabama, is hereby authorized to employ a clerk, if in his judgment it is necessary to the proper functioning of his office, said clerk to serve at the will and pleasure of the Clerk of the Circuit Court of Elmore County, Alabama. The Clerk of the Circuit Court of said County shall fix the salary of such Clerk at Twenty-one Hundred ($2100.00) per annum.

Section 2. The salary of said Clerk appointed as hereinbefore provided shall be paid out of the General Fund of Elmore County, Alabama, in equal monthly installments of One Hundred Seventy-five ($175.00) Dollars per month, said payments to be made by warrant drawn by the Court of County Commissioners of Elmore County, Alabama.

Section 3. Should any clause, sentence, paragraph, part or section of this act be invalid, such invalidity shall not affect, impair or invalidate the remainder of this Act.

Section 4. All laws, general, local and special in conflict herewith, are hereby repealed insofar as they conflict herewith.

Section 5. This act shall become effective on the first day of the month next succeeding its passage and approval, or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hal Fisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 22, Jan. 29, Feb. 5, and Feb. 12, all in the year 1959.

HAL FISHER.

Sworn to and subscribed before me September 18, 1959.

ELAINE HOLLEY,
Notary Public.

By Messrs. Green, Roberts, Leonard, Barnett, Wyatt, Jones, Golson, Clark, Wilson, Crawford, Berryman, Porter, Cooper, Givhan, Word, Godfrey and deGraffenried:

S. 353. To provide for the construction and maintenance of all-weather surface rural mail box turnouts along the state highways; to authorize and direct the State Highway Department to undertake such a program; to regulate the construction of such mail box turnouts and the erection and maintenance of rural mail boxes at such turnouts; to authorize the State Highway Department to adopt and promulgate rules, regulations, and specifications governing the construction and maintenance of such turnouts and the erection and maintenance of rural mail boxes; and to prescribe a penalty for the erection and maintenance of rural mail boxes in violation of the Act and the rules, regulations, and specifications of the State Highway Department relative thereto.

Committee on Public Roads and Highways.

By Messrs. Cooper and Porter:

S. 354. To amend Section 1 of Act No. 296, page 493, 1945 General Acts of Alabama, approved July 7, 1945, entitled "An Act To amend

Section 55 of Title 8 of the Code of Alabama 1940" which pertains to the fees of arresting officers in game and fish cases.

Committee on Finance and Taxation.

By Mr. Webb:
S. 355. To amend Section 587 of Title 37, Code of Alabama (1940) which relates to appeals from Recorder's Court.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Jones, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. deGraffenried:
S. 324. Relating to State Educational Institutions: Proposing an amendment to the Constitution of Alabama authorizing certain State educational institutions to pledge certain existing revenues for the acquisition or improvement of facilities.

The above Bill was read a recond time at length as required by the Constitution.

By Mr. Porter:
S. 165. Proposing an amendment to the Constitution relative to the State Superintendent of Education and the State Board of Education.

The above Bill was read a second time at length as required by the Constitution.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hanby (with amendment):
H. 254. To amend further Section 25 of Title 36, Code of Alabama 1940, which relates to the stopping of motor vehicles upon the paved or main traveled portion of a highway.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison:
S. 312. To create within any county in this state having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority, and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations.

By Messrs. Robison, Rutledge, Eddins, Caffey, Word, Wilson, Kendall, Graham, Samford, Archer, Moses and Turner:

S. 11. To repeal Act No. 335, approved September 2, 1955, entitled "An Act To fix the salary of the stenographic secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama."

By Mr. Robison:

S. 257. To appropriate out of any funds in the State Treasury not otherwise appropriated for the fiscal year ending September 30, 1959, the sum of $30,000.00 or so much thereof as may be necessary to renovate, remodel, repair, redecorate, alter, and modernize the offices occupied by the State Treasurer on the west side of the south corridor on the first floor of the Capitol Building in Montgomery, Alabama; and to repair and renovate adequate space for use by the State Treasurer in the basement of the State Capitol Building in Montgomery, Alabama.

By Mr. Turner:

S. 320. To amend Section 2, Item III, A (35) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

By Messrs. Dumas and Caffey:

S. 308. To make additional appropriations to the State Health Department for each of the fiscal years ending September 30, 1960, and September 30, 1961.

By Mr. deGraffenried:

S. 323. To authorize the state board of education and the boards of trustees of all state institutions to make investments of endowment funds and other funds held for investment in the same manner as the Teacchers Retirement System of Alabama is authorized to make.

By Mr. deGraffenried:

S. 325. To direct the State Comptroller to pay over to the board of trustees of the University of Alabama, for the benefit of the Medical College of Alabama, the unexpended balance of the appropriation made for payment of expenses of the Medical College Building Commission by section four of an act approved June 2, 1943 (Act No. 89, S. 35, General Acts 1943, p. 89).

By Mr. Archer:

S. 266. To amend Act No. 476, H. 627, approved September 9, 1955, which creates the office of deputy circuit solicitor in the twenty-third judicial circuit and provides for the appointment, duties and compensation of such officer.

By Messrs. Graham and Jones:

S. 287. To provide for two judges of the Nineteenth Judicial Circuit of Alabama, prescribe their qualifications, and provide for their election or appointment and their compensation, jurisdiction, authority, powers, and duties.

By Messrs. Webb, Givhan, Barnett and Berryman:

S. 315. To provide in addition to all other revenues heretofore appropriated to the Division of State Parks, Monuments and Historical Sites the sum of $50,000.00 for each of the fiscal years 1959-60 and 1960-61 from the revenues derived from the sale of sand and gravel and timber and timber products.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on

the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas (with amendment):
S. 307. To further amend section 388, as last amended, of title 51 of the 1940 Code of Alabama.

Mr. deGraffenried, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Farmer, Leonard, Hines and Clark:
S. 176. To amend Section 121 of Title 5 of the Code of Alabama of 1940, relating to banks.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Green (with notice and proof):
S. 327. To fix the compensation of the county solicitor of Sumter County, Alabama.

By Mr. Eddins (with notice and proof):
S. 329. To amend further Section 11 of Act No. 311, H. 904, approved September 19, 1923 (Local Acts of Alabama 1923, p. 188), entitled "An Act To establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County."

By Mr. Moses (with notice and proof):
S. 338. Relating to Marion County: To provide for the appointment and compensation of clerical assistance for certain county officers.

By Mr. Moses (with notice and proof):
S. 339. For the relief of Lee Other Harris; authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Marion County to make an appropriation from the county treasury to compensate Lee Other Harris for certain damages.

By Mr. Rutledge:
S. 342. Proposing an amendment to the Constitution of Alabama providing for a special tax in Winston County for school purposes.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Green (with notice and proof):
S. 343. To provide a chief clerk for the Tax Assessor of Sumter County, Alabama, to regulate and fix his or her compensation and provide for the payment thereof and define his or her duties, and to repeal conflicting laws.

Mr. Haltom, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the fol-

lowing bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Samford, Farmer and Hines (with amendment):
S. 291. To authorize the Director of Conservation to enter into agreements of reciprocity with Conservation Commissioners and other proper officials of adjoining states concerning the hunting of waterfowl on waters lying between said states.

Mr. Word, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:
S. 330. To amend further Section 46 of Title 36 Code of Alabama 1940, as amended, so as to provide that parking lights may exhibit an amber light as well as a white light.

By Mr. Godfrey:
S. 275. To provide for naming certain bridges by the State Highway Department.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Long (Perry):
H. 111. To confer on each incorporated municipality in this state having a population of less than 6,000 inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside the corporate limits of such incorporated municipality and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such incorporated municipality; to confer on each such incorporated municipality the same powers to assess the cost of any such improvements, whether constructed within the incorporated municipality or outside the municipality and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such incorporated municipality or outside such municipality and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such incorporated municipality of the cost of such improvements constructed in such municipality; to confer on each such municipality the power to finance any such improvements, constructed outside the incorporated municipality and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following

Message from the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Relative to the Governor's Message pertaining to the appointment of Brigadier General John D. Sides as Major General to command the 31st Infantry (Dixie) Division.

and, on motion of Mr. Caffey, Brigadier General John D. Sides was confirmed by the Senate as Major General to command the 31st Infantry (Dixie) Division.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 21. Relative to creating a special joint committee to study mental health problems.

OAKLEY MELTON, JR.,
Clerk.

RESOLUTION

Mr. deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 22. WHEREAS, the Legislature by Joint Resolution appointed a special committee to study our state mental hospitals, as well as the need for training of mental health personnel in this state, and

WHEREAS, this joint committee has visited each of our state mental institutions observing and studying the conditions existing in each of the institutions, and

WHEREAS, approximately seventy other members of the Legislature have visited and observed the conditions in our three state mental institutions, therefore

BE IT RESOLVED BY THE LEGISLATURE, that the special committee express its deep conviction that the State Superintendent, Dr. J. S. Tarwater has and is rendering outstanding and high professional service in the management of these institutions, and

BE IT FURTHER RESOLVED, that this committee extend to Dr. J. S. Tarwater, Superintendent; Dr. Partlow, Assistant Superintendent in charge of Partlow State School; Dr. Lawrence, Assistant Superintendent in charge of Bryce Hospital and Dr. Rowe, Assistant Superintendent in charge of Searcy Hospital; and the staffs of these three institutions, its sincere commendation and congratulations on the fine and unparalleled service being rendered, and

BE IT FURTHER RESOLVED, that several copies of this resolution be transmitted to the staff of said hospitals.

And on motion of Mr. deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 4. To amend Title 12, Section 4, Code of Alabama, 1940, as amended, pertaining to reports and remittances by tax collectors.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 92 Nays 0.

And said bill, as thus amended by the executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 91 Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same forthwith to the Senate for its consideration:

By Messrs. Cates and Harvey:

H. J. R. 62. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That we extend warm thanks and grateful appreciation to our hosts of Tuesday evening, September 9, the Alabama Cattlemen's Association, and to the officers and members thereof, for the delectable barbecued beef and garnishments provided us, and for the delightful and enjoyable entertainment furnished on that gala occasion.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 62, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING

The Bill:

S. 286. Relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

was taken up.

Mr. deGraffenried offered the following substitute for the Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

Be It Enacted by the Legislature of Alabama:

Chapter 1

Section 1. This act shall apply only to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census. Any such city may retain the form of government under which it is presently operating or may adopt, upon proceeding in the manner provided in this act, one of the optional plans or forms of government provided herein.

Section 2. The legally qualified voters of any municipality to which this act is applicable may adopt any of the optional plans of this act upon petition and referendum, as hereinafter provided.

Section 3. Upon petition signed by ten per cent or more of the qualified voters of a municipality within the scope of this act, such petition to be addressed to the judge of probate of the county in which the municipality is situated, an electeion shall be held on the question of the adoption of such optional plan under this act as the petition may designate.

Section 4. The judge of probate shall examine the petition, and if he determines that the petition is signed by at least ten per cent of the qualified voters of the municipality, he shall certify such fact to the governing body of the municipality; and such governing body, immediately upon receipt of such certification, shall call such election to be held together with, and as part of, the next general or municipal election if one is to be held not less than seventy-five nor more than one hundred twenty days after the filing of the petition, and if a general or municipal election is not to be held within that time, a special election within such time. The question of adoption of an optional plan of government shall be submitted to the voters in the same manner as other public questions to be voted upon by the voters of a single municipality.

Section 5. No petition for submission of the question of adopting an optional plan of government pursuant to this act may be filed within three years after any other such petition has been duly filed, nor within five years after an optional plan of government hereunder shall have been adopted for the municipality.

Section 6. Whenever the legally qualified voters of any municipality to which this act applies, by a majority of those voting on the question, vote in favor of adopting a change in their form of government pursuant to this act, the officers herein provided for such form of government shall be elected and the plan of government shall become effective as hereinafter provided.

Chapter 2

Section 7. The form of government provided in this chapter of this act shall be known as the "mayor-council plan" and shall apply to any municipality the voters of which have adopted it pursuant to this act.

Section 8. Each municipality hereunder shall be governed by an elected council, an elected mayor, and such other officers and employees as may be duly appointed pursuant to law or ordinance.

Section 9. The council shall consist of five members, who shall be elected at large by the voters of the municipality; and, except as otherwise herein provided for the first council, the members of the council shall be elected at a regular municipal election to be held every four years in the month of September.

Section 10. Members of the council shall serve for a term of four years, beginning at twelve o'clock noon on the first Monday of October next following their election, except as otherwise provided for those first elected. Five councilmen shall be elected at the first election following the adoption by the municipality of this plan, as provided in chapter 4 of this act. All councilmen elected at such first election shall serve from twelve o'clock noon on the first day the plan takes effect until twelve o'clock noon on the first Monday in October of the year in which regular municipal elections are held, and their successors are elected and qualified. Vacancies shall be filled for the remainder of the unexpired term at the next general election to be held not less than sixty days after the occurrence of the vacancy. Council may fill the vacancy temporarily by appointment to serve until the qualification of a person so elected. Councilmen shall be entitled to a compensation of $2400.00 per annum each, payable in installments as the salaries of other municipal officers are paid.

Section 11. All legislative powers and other powers granted to cities and towns shall be exercised by the council, except those powers conferred on some officer by law or ordinance, and except as may otherwise be provided by this act or by other general laws.

Section 12. The council, in addition to such other powers and duties as may be conferred upon it by this act or otherwise by law, may:

(a) Consider and approve or decline to approve nominations for appointments to be made by the mayor;

(b) Require any municipal officer, in its discretion, to prepare and submit sworn statements regarding his official duties and the performance thereof, and otherwise to investigate the conduct of any department, office, or agency of the municipal government;

(c) Remove any municipal officer, other than the mayor or a member of council, for cause, upon notice and opportunity to be heard.

Section 13. The council shall appoint a municipal clerk, who shall serve as clerk of the council, keep its minutes and records of its proceedings, maintain and compile its ordinances and resolutions, and perform such other functions as may be required by law for municipal clerks generally. The municipal clerk shall, prior to his appointment, have been qualified by training or experience to perform the duties of the office.

Section 14. The executive power of the municipality shall be exercised by the mayor. The mayor shall be elected by the qualified voters of the municipality at the regular municipal election to be held every four years in the month of September, and shall serve for a term of four years beginning at twelve o'clock noon on the first Monday in October following his election. Vacancies in the office of mayor shall be filled in the same manner as vacancies in council. However, the

mayor elected at the first election following the adoption of this plan shall serve from twelve o'clock noon on the first day the plan takes effect until twelve o'clock noon on the first Monday in October of the year in which regular municipal elections are held and his successor is elected and qualified. The mayor shall be entitled to compensation at the rate of ten thousand dollars per annum, payable in installments as the salaries of other municipal officers are paid.

Section 15. The mayor shall enforce the ordinances of the municipality and all laws applicable thereto. He shall annually address the council on the condition and requirements of the municipal government and shall from time to time make such recommendations for action by the council as he may deem in the public interest. He shall supervise all of the departments of the municipal government and shall require each department to make an annual and such other reports of its work as he may deem desirable.

Section 16. (a) The mayor shall nominate and appoint, with the advice and consent of the council, the judge of the municipal court, or recorder, and the department heads of the municipality other than the municipal clerk, and may remove at his pleasure the officers appointed by him.

(b) Ordinances adopted by the council shall be submitted to the mayor, and he shall within ten days after receiving any ordinance, either approve the ordinance by affixing his signature thereto or return it to the council, by delivering it to the municipal clerk, together with a statement setting forth his objections thereto or to any item or part thereof. No ordinance or any item or part thereof shall take effect without the mayor's approval, unless the mayor fails to return an ordinance to council within ten days after it has been presented to him, or unless council upon reconsideration thereof on or after the third day following its return by the mayor shall by a vote of four members resolve to override the mayor's veto.

(c) The mayor may attend meetings of council and may take part in the sessions of council but shall have no vote except in the case of tie on the question of temporarily filling a vacancy in the council, in which case he may cast the deciding vote.

Section 17. The mayor shall designate the director of administration or other municipal administrative official to act as mayor whenever the mayor shall be prevented by absence from the municipality, disability, or other cause from attending the duties of his office. During such time the person so designated by the mayor shall possess all the rights, powers, and duties of the mayor. Whenever the mayor shall have been unable to attend the duties of his office for a period of sixty consecutive days for any of the above stated reasons, an acting mayor shall be appointed by the council, and he shall succeed to all the rights, powers, and duties of the then acting mayor.

Section 18. The municipality shall have a department of administration and such other departments not exceeding nine in number as council may establish by ordinance. All of the functions, powers, and duties of the municipality shall be allocated and assigned among and within such departments. Each department shall be headed by a director or other officer appointed by the mayor with the advice and consent of the council. The department heads shall serve at the pleasure of the mayor.

Section 19. The department of administration shall be headed by a director who shall be known and designated as the director of ad-

ministration. The director of administration shall be appointed as other department heads are appointed, and shall be chosen solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter set forth. He shall have, exercise, and discharge the functions, powers, and duties of the department. The department, under the direction and supervision of the mayor, shall:

(a) Assist in the preparation of the budget;

(b) Administer a centralized purchasing system; provided, all contracts of whatever nature for the purchase of materials, equipment, supplies, or other personal property involving fifty dollars or more, made by or on behalf of the municipality, shall be let by free and open bidding, on written sealed bids, to the lowest responsible bidder. Competitive bids shall be advertised for by publication three successive weeks before the date set for the letting, in a newspaper published in the city, and in any other manner and for such lengths of time as the council may determine. All bids shall be sealed when received, shall be opened in public at the hour stated in the notice, and all original bids together with all documents relating to the award of the contract shall be retained and made a part of a permanent record or file and shall be open to public inspection;

(c) Be responsible for the development and administration of a sound personnel system; provided, all appointments and removals of officers and employees of the municipality shall be made in accordance with the provisions of the existing merit or civil service system law, if any, in effect in the municipality;

(d) Perform such other duties as council may prescribe.

Section 20. Council shall provide by ordinance for a municipal engineer who shall be qualified at least as a licensed professional engineer prior to his appointment, and shall serve either full or part time, or on a consulting basis. The municipal engineer shall supervise all work by or for the municipality of a technical or engineering nature. He shall as directed by council compile and compute any cost of all work and services of an engineering or technical nature paid for by the municipality whether charged to force account or by contract, and shall report thereon to council annually and at such other times as council may require.

Section 21. The municipal budget shall be prepared by the mayor with the assistance of the director of administration. During the month of August, the mayor shall require all department heads to submit requests for appropriations for the ensuing budget year, and to appear before the mayor or director of administration at public hearings, which shall be held in that month, on the various requests.

Section 22. On or before the fifteenth day of September the mayor shall submit to council his recommended budget together with such explanatory comment or statement as he may deem desirable. The budget shall be in such form as may be prescribed by the council, and shall in addition have appended thereto a detailed analysis of the various items of expenditure and revenue. Council may increase or reduce any item or items in the mayor's budget by a vote of a majority of the Council. The budget shall become effective on the ensuing first day of October.

Section 23. The council shall where practicable provide for the maintenance of a system of quarterly allotments for the operation of

the budget. It shall be the duty of the officer or department administering any function of the municipality to report to the director of administration such financial statistics as the mayor or director of administration may require in the formulation of the budget.

Section 24. The council shall provide by ordinance for the exercise of a control function, in the management of the finances of the municipality, by some officer other than the director of administration. The control function shall include provision for an encumbrance system of budget operation, for expenditures only upon written requisition, for the pre-audit of all claims and demands against the municipality prior to payment, and for the control of all payments out of any public funds by individual warrants for each payment to the official having custody thereof.

Chapter 3

Section 25. The form of government provided in this chapter of this act shall be known as the "council-manager plan" and shall apply to any municipality the voters of which have adopted this plan pursuant to this act.

Section 26. Each municipality under this chapter shall be governed by an elected council, an appointed municipal manager, and such other officers and employees as may be duly appointed pursuant to law or ordinance.

Section 27. The municipal council shall consist of five members. Each councilman shall have been a citizen and resident of the municipality at least two years immediately preceding his election.

Section 28. Except as otherwise herein provided for the first councilmen, members of the municipal council shall be elected at large by the voters of the municipality at a regular municipal election to be held every four years in the month of September.

Section 29. Members of the council shall serve for a term of four years, beginning on the first Monday in October next following their election, except as otherwise provided for those first elected. Five councilmen shall be elected at the first election following the adoption by the municipality of this plan, as provided in chapter 4 of this act. All councilmen elected at such first election shall serve from twelve o'clock Noon on the first day the plan takes effect until twelve o'clock noon on the first Monday in October of the year in which regular municipal elections are held, and their successors are elected and qualified. Vacancies shall be filled by election for the remainder of the unexpired term at the next general election occurring not less than sixty days after the occurence of the vacancy. Council may fill the vacancy temporarily by appointment to serve until the qualification of a person so elected. Councilmen shall be entitled to a compensation of $2,400.00 per annum each, payable in installments as the salaries of other municipal officers are paid.

Section 30. On the first Monday in October following their election, and, in the case of the first councilmen elected, on the day this plan takes effect, the members elected to the municipal council shall assemble at the usual place of meeting of the governing body of the municipality and organize and elect one of their number as mayor. The mayor shall be chosen by ballot by a majority vote of all members of the municipal council. If the members shall be unable, within five ballots to be taken within two days of said organization meeting to

elect a mayor, then the member who in the election for members of the municipal council received the greatest number of votes shall be the mayor. Should such person decline to accept the office, then the person receiving the next highest vote shall be mayor, and so on. The compensation of the mayor under this plan shall be the same as that of councilmen.

Section 31. The mayor shall preside at all meetings of the municipal council and shall have a voice and vote in its proceedings. All bonds, notes, contracts, and written obligations of the municipality shall be executed on its behalf by the mayor, or in the event of his inability to act, by such councilman as the municipal council shall designate to act as mayor during his absence or disability.

Section 32. All legislative powers and other powers granted to cities and towns shall be exercised by the council, except those powers conferred on some officer by law or ordinance, and except as otherwise provided herein.

Section 33. The municipal council shall appoint a municipal manager, a municipal clerk, and a municipal attorney. Any of such offices may be held by the same person. The council may provide for the appointment of other necessary officers and employees, and may create commissions and other bodies with advisory powers. All appointments and removals of personnel, except the municipal manager, shall be made in accordance with the provisions of such merit or civil service system law as may be applicable to such municipality.

Section 34. The municipal council shall continue or create, and determine and define the powers and duties of, such executive and administrative departments, boards, and officers in addition to those provided for herein, as it may deem necessary for the proper and efficient conduct of the affairs of the municipality. Any department, board, or office so created may at any time be abolished by the municipal council.

Section 35. It is the intention of this chapter of this act that the municipal council shall act in all matters as a body, and it is contrary to the intent of this chapter for any of its members to seek individually to influence the acts of the municipal manager, or any other officer, or to direct or request the appointment of any person to, or his removal from, office; or to interfere in any way with the performance by such officers of their duties. The council and its members shall deal with the administrative service solely through the manager and shall not give orders to any subordinate of the manager, either publicly or privately. Nothing herein contained shall prevent the municipal council from appointing committees or commissioners of its own members or of citizens to conduct investigations into the conduct of any officer or department, or any matter relating to the welfare of the municipality, and delegating to such committees or commissions such powers of inquiry as the municipal council may deem necessary. Any councilman violating the provisions of this section shall be disqualified to serve thereafter, and may be removed from his office by an appropriate proceeding brought in a court of competent jurisdiction.

Section 36. The municipal council shall as soon as possible after its organization appoint by a vote of a majority of all its members, a municipal manager at such salary and under such conditions as the municipal council by a majority vote may decide.

Section 37. The manager may designate a qualified administrative officer of the municipality to perform his duties during his temporary

absence or disability. In the event of his failure to make such designation, the council may by resolution appoint an officer of the municipality to perform the duties of the manager during such absence or disability until he shall return or his disability shall cease.

Section 38. The municipal manager shall be chosen by the council solely on the basis of his executive and administrative qualifications, with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter set forth. At the time of his appointment, he need not be a resident of the municipality or state, but during his tenure of office he may reside outside the municipality only with the approval of council.

Section 39. The municipal manager shall hold office for an indefinite term and may be removed by a majority vote of the council. At least thirty days before such removal shall become effective, the council shall by a majority vote of its members adopt a preliminary resolution stating the reasons for his removal. The manager may reply in writing and may request a public hearing, which shall be held not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if one is requested, and after full consideration, the council by a majority vote of its members may adopt a final resolution of removal. By a preliminary resolution the council may suspend the manager from duty, and shall in any case cause to be paid him forthwith any unpaid balance of his salary and his salary for the next three calendar months following adoption of the preliminary resolution.

Section 40. The municipal manager shall:

(a) Be the chief executive and administrative official of the municipality;

(b) Execute all laws and ordinances applicable within the municipality;

(c) Appoint and remove all heads of administrative departments and all other officers, subordinates, and assistants, for whose selection or removal no other method is provided in this chapter, supervise and control his appointees, and report all appointments or removals at the next meeting thereafter of the municipal council, provided that all such appointments and removals are made in accordance with any merit or civil service system law which may be applicable to the municipality;

(d) Negotiate contracts of the municipality subject to the approval of the municipal council, make recommendations concerning the nature and location of municipal improvements, and execute municipal improvements as determined by the municipal council; provided, all contracts of whatever nature for the purchase of materials, equipment, supplies, or other personal property involving fifty dollars or more, made by or on behalf of the municipality, shall be let by free and open competitive bidding, on written sealed bids, to the lowest responsible bidder. Competitive bids shall be advertised for by publication three successive weeks before the date set for the letting, in a newspaper published in the city, and in any other manner and for such lengths of time as the council may determine. All bids shall be sealed when received, shall be opened in public at the hour stated in the notice, and all original bids together with all documents relating to the award of the contract shall be retained and made a part of a permanent record or file and shall be open to public inspection;

(e) See that all terms and conditions imposed in favor of the municipality or its inhabitants in any statute, public utility franchise, or other contract are faithfully kept and performed, and upon knowledge of any violation call the same to the attention of the municipal council;

(f) Attend all meetings of the municipal council with the right to take part in the discussions, but without the right to vote;

(g) Recommend to the municipal council for adoption such measures as he may deem necessary or expedient, and make reports to the council as requested by it, and at least once a year make an annual report of his work for the benefit of the council and the public;

(h) Investigate at any time the affairs of any officer or department of the municipality;

(i) Perform such other duties as may be required of the municipal manager by ordinance or resolution of the municipal council.

The municipal manager shall in all matters act under the direction and supervision of the municipal council.

Section 41. A municipal budget shall be prepared by the municipal manager. During the month of August in each year the municipal manager shall require the department heads to submit requests for appropriations for the ensuing budget year and to appear before him at public hearings, which shall be held during that month, on the various requests.

Section 42. On or before the fifteenth day of September the municipal manager shall submit to council his recommended budget together with such explanatory comment or statement as he may deem desirable. The budget shall be in such form as may be required by the council, and shall in addition have appended thereto a detailed analysis of the various items of expenditure and revenue. The council shall, where practicable, provide by ordinance for the operation of a system of quarterly allotments for the operation of the budget, and for the development and reporting of appropriate unit costs of budgeted expenditures. The budget shall become effective on the first day of October.

Section 43. In any act or ordinance a provision conferring the appointing power or other power upon the mayor or other executive officer of the municipality shall be construed as meaning the municipal manager in a municipality governed under this chapter of this act, and the appointments or the power exercised by the municipal manager in accordance with such provisions shall be classified and given the same force and effect as if executed by the official named therein.

Section 44. A municipal engineer shall supervise all work by or for the municipality of a technical or engineering nature. He shall, as directed by council, compile and compute the unit cost of all work and services of an engineering or technical nature paid for by the municipality, whether charged to force account or by contract, and shall report thereon annually and at such other times as council may require.

Chapter 4

Section 45. A schedule of the installation of an optional plan adopted pursuant to this act shall, as provided herein, take the following course:

(a) An election to submit the question of adoption of an optional plan may be held at any time in accordance with the provisions of chapter 1 of this act;

(b) In the event of a favorable vote of the electors at the election, the judge of probate of the county in which the municipality is situated shall order an election to be held on the eighth Tuesday following such election for the election of the first officers under the adopted plan;

(c) An optional plan shall take effect in accordance with the further provisions of this act, at twelve o'clock noon on the date of expiration of the terms of office of incumbent councilmen or commissioners, or if the incumbents are holding staggered terms, on the expiration of the term which occurs first.

(d) The expense of all elections held hereunder shall be paid by the municipality conducting such elections.

Section 46. Upon the effective date of an optional form of government adopted pursuant to this act, the provisions of this act pertaining thereto shall become applicable to such municipality, and the existing form of government for such municipality shall be abolished. All ordinances and resolutions of the municipality to the extent that they are not inconsistent with the provisions of this act shall remain in full force and effect until modified or repealed as provided by law. All officers and employees of any municipality adopting an optional plan pursuant to this act, except those whose terms of office are abolished by the adoption of such optional plan, shall continue in office until otherwise provided by the municipal council.

Section 47. All actions and proceedings of a legislative, executive, or judicial character which are pending upon the effective date of an optional plan adopted pursuant to this act may continue, and the appropriate officer or employee under such optional plan shall be substituted for the officer or employee theretofore exercising or discharging the function, power, or duty involved in such action or proceeding.

Section 48. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 49. All laws or parts of laws which conflict with this act are repealed.

Section 50. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Turner
Berryman	Golson	Moses	Webb
Clark	Graham	Porter	Wilson
Cooper	Green	Roberts	Word
deGraffenried			—24

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Turner
Berryman	Golson	Moses	Webb
Clark	Graham	Porter	Wilson
Cooper	Green	Roberts	Word
deGraffenried			

—24

Nays: —0

The Bill:

S. 306. Relating to Fayette County: providing for the compensation of the deputies to the sheriff of Fayette County, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Farmer	Jones	Shelton
Archer	Gaither	Kendall	Turner
Berryman	Godfrey	Leonard	Webb
Caffey	Golson	Moses	Word
Cooper	Green	Roberts	Wyatt
Crawford			

—24

Nays: —0

The Bill:

S. 311. To amend further Section 1 of Act No. 311, S. 411, approved July 31, 1951, an act regulating the office of sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last or any subsequent federal decennial census (Acts 1951 Regular Session, Vol. I., p. 606), in relation to the employment of deputies, clerks, wardens, jailers, and other assistants by the sheriffs of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Berryman	deGraffenried	Givhan
Andrews	Caffey	Eddins	Godfrey
Barnett	Clark	Farmer	Golson

Graham	Leonard	Robison	Turner	
Green	Moses	Samford	Wilson	
Haltom	Porter	Shelton	Word	
Hines				—24

Nays: —0

The Bill:

S. 314. To amend Section 1 of Act No. 325, S. 379, approved August 11, 1953, the act fixing the compensation to be paid to members of the governing body in all cities having a population of not less than 78,500 nor more than 125,000, according to the last or any subsequent federal decennial census (Acts of Alabama, Regular Session 1953, Vol. I, p. 382).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Hines	Shelton	
Berryman	Gaither	Kendall	Webb	
Caffey	Givhan	Leonard	Wilson	
Clark	Golson	Porter	Word	
Cooper				—24

Nays: —0

The Bill:

S. 318. Relating to St. Clair County; authorizing the sheriff of such county to appoint certain assistants, prescribing the number of such assistants, their authority and their compensation; providing for the payment of such compensation out of the county treasury; repealing Act No. 516, S. 248, approved July 6, 1943, and other conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Rutledge	
Archer	Farmer	Hines	Samford	
Caffey	Gaither	Jones	Turner	
Clark	Givhan	Moses	Wilson	
Cooper	Graham	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 309. To provide additional compensation for the register of the circuit court of Butler County, to be paid from the general fund of the county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Haltom	Robison	
Andrews	Gaither	Hines	Samford	
Archer	Givhan	Kendall	Turner	
Berryman	Godfrey	Moses	Webb	
Caffey	Graham	Porter	Word	
Clark	Green	Roberts	Wyatt	
Cooper				—24

Nays: —0

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Message from the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Relative to the Governor's Message pertaining to the appointment of Colonel Rex D. Roach as Brigadier General, assigned Assistant Division Commander of the 31st Infantry (Dixie)) Division.

and, on motion of Mr. Webb, Colonel Rex D. Roach was confirmed by the Senate as Brigadier General, assigned Assistant Division Commander of the 31st Infantry (Dixie) Division.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Goodwyn, Pierce and Adams (Tallapoosa):

H. J. R. 63. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That the attached Biennial Report of the Sixth Legislative Council be accepted by the Legislature as a compliance with Act No. 152, Regular Session 1945; that the Clerk be ordered to file the same with the legislative papers and documents of this Session; and that 500 copies thereof be ordered printed as a legislative document for distribution to the public.

BIENNIAL REPORT OF THE SIXTH LEGISLATIVE COUNCIL

On May 7, 1957, the members of the House and Senate then serving on the Legislative Council were reelected to another term on that body. At that time, the membership of the Legislative Council included Messrs. Kendall of Conecuh, Adams of Tallapoosa, Goodwyn of Montgomery, Martin of Greene, Nice of Jefferson, and Stokes of Coffee, on the part of the House, and Messrs. Engelhardt of Macon, Jones of Monroe, Tate of Coosa, and Smith of Russell, on the part of the Senate. Subsequently, however, several changes were made in the Council's membership. Mr. Kendall resigned as a council member on the part of the House, and was elected a member from the Senate; Mr. Jones resigned as a member on the part of the Senate, and was elected a member from the House, Representative Paul T (Tram) Sessions of Jefferson was selected to fill a vacancy caused by the resignation of Representative Nice; and Repre-centative Gregory Oakley of Wilcox was elected to the Council to fill a vacancy caused by the election of Mr. Adams as Speaker of the House.

Senator Ralph L. Jones served as chairman, and Representative Charles Adams served as vice-chairman, during a portion of the biennium; and on April 4, 1958, Mr. Adams was elected chairman and Mr. Kendall was elected vice-chairman. The President of the Senate and the Speaker of the House are ex-officio members of the Legislative Council.

During the period May, 1957, to May, 1959, the Legislative Council held regular and special meetings, as provided by law, and considered and acted upon various matters brought to its attention. After careful consideration of these various matters, the Legislative Council reports its recommendations to the Legislature as follows:

1. The Council recommends enactment of (1) a bill authorizing county or municipal governing bodies to install voting machines ex mero motu, without the necessity for holding a referendum on the question; and (2) the enactment of a bill to permit such a county or municipal governing body to issue warrants or certificates of indebtedness to finance the cost of installing the voting machines, also without a referendum.

2. More than a mere easement may be obtained in eminent domain proceedings. For example, a fee simple title may sometimes be condemned if needed and if the condemnor has the legal right to take it. However, Section 24 of Title 19, Code 1940, which is the statute under which orders of condemnation are framed, refers only to "the easement proposed to be acquired." The Legislative Council recommends the enactment, therefore, of a bill to amend this code section so as to refer to "the right, title, or interest proposed to be acquired" as well as "the easement." The only effect of such a bill would be to clarify the existing law. No new law would be made thereby.

3. At the present time the act of July 9, 1945, which relates to the offense of leaving the scene of an accident, does not specify the place where the accident must occur before the duty to stop and render assistance arises. The members of the Legislative Council were of the opinion that the statute ought to cover any case where a motor vehicle collides with an automobile in a private drive or roadway or in a parking lot or in any other place in the State. The Council, therefore, recommends the enactment of a bill to amend the first section of the 1945 act, so as to make it read: "The driver of any vehicle involved in an accident anywhere in this State which results in an injury to or the death of any person or damage to another vehicle, shall immediately stop his vehicle at the scene of the accident, and shall also give his name and address and the registration license number of his vehicle, and shall render to any person injured in the accident reasonable assistance. . . "

4. The Legislative Council also recommends the enactment of a bill to amend the act of August 19, 1949, which relates to absentee voting, to make certain the time when absentee ballots must be delivered to the absentee election officials on election day for counting. At the present time, Section 11 of the 1949 act provides that the absentee election officials must meet "at the regular time of closing of the election," and Section 12 provides that the register must deliver the absentee ballots to the absentee election officials "on the morning of the day of the election." The members of the Legislative Council suggest the amendment of Section 11 to provide that the absentee election officials shall meet not later than five o'clock, p. m., on the election day, and the amendment of Section 12 to provide that the register must deliver the absentee ballots "on the day of the election."

5. The laws of 1943 and 1945 establishing the state medical college and the state dental college provided for one scholarship, in the amount

of four hundred dollars a year, at each of these institutions for every county in the State. An act of 1953 provided that each beneficiary of county medical and dental scholarships must enter into an agreement with the county governing body that, upon his graduation, he will practice his profession in the county for a such a period of time, not exceeding five years, as the county governing body may prescribe. The act further stipulates, however, that a beneficiary may fulfill his agreement by practicing in a county in which the need for doctors or dentists is greater than in the county to which he pledged himself to return. The Council members understand that one result of the 1953 act is that students from the smaller counties of the State are generally not applying for such scholarships primarily because the stipend is not sufficiently attractive to cause the students, in turn, to agree to practice in the smaller counties. The Legislative Council, therefore, recommends the enactment of a bill to amend the 1953 act in such a way as to permit the recipients to receive such scholarships provided they agree to practice for not more than five years in the State of Alabama. The Council felt that such a provision would liberalize the conditions surrounding the granting of these scholarships, and would enable students from the smaller counties more readily to take advantage of the grants.

6. There is no specific limit now mentioned in the laws of this State pertaining to appeals in criminal cases tried before justices of the peace. The Legislative Council believes that the law should be made specific in this connection, and recommends the enactment of a bill to amend Section 428 of Title 13, Code of 1940, so as to require appeals to be taken in criminal cases tried in justice of the peace courts at any time within six months from the date of the judgment.

7. The Legislative Council further recommends the enactment of a bill to make Alabama's Corrupt Practices Act consistent with the laws of a majority of the other states by eliminating the requirement that candidates must file pre-election expense statements. The Council suggests that Sections 279 and 280 of Title 17, Code 1940, which relate to the filing of political campaign expense statements, be amended to eliminate reference to the pre-election statement and to provide that the post-election statement must be filed at any time within thirty days after the election instead of fifteen days as in the existing law.

8. The Legislative Council recommends the enactment of a bill to amend further Section 12 of Title 17, Code 1940, which relates to qualifications to vote, to change the statutory residence requirements for voting to two years in the State, and one year in the county, in accordance with the provisions of Section 178 of the Constitution, as amended.

9. Under the present law, a defendant against whom judgment is rendered in a bastardy proceeding is required to enter into a bond in the sum of one thousand dollars, conditioned to pay the cost of the proceeding and such sum, not exceeding one hundred dollars each year for a period of ten years, as the court may prescribe for the support and education of the child. For the enforcement of the judgment, the law of garnishment applies. If the defendant fails or refuses to give bond, the court must enter judgment against him for such sum as, at legal interest, will produce the amount directed to be paid yearly, and he must be sentenced to hard labor for the county for one year. The Legislative Council, however, recommends the enactment of a bill further defining the obligations of the father to a child born out of wedlock and requiring the father to provide the child with necessary support, maintenance, and education. The Council suggests that, once paternity has been established, the court should enter judgment against the defendant for the costs and for annual amounts, not exceeding five hundred

dollars a year, as the court may deem just, reasonable, and necessary for the proper support, maintenance, and education of the child, taking into consideration the father's obligation and his ability to pay. The payments would be made at such intervals as the court might prescribe, and should continue until the child become eighteen years of age. The court should be given continuing jurisdiction over the father and the judgment until the judgment is satisfied in full. The annual amounts fixed by the judgment could be increased or decreased by the court, after notice and hearing, as circumstances may warrant. The judgment of the court could be enforced in the same manner as provided by existing laws; but, in addition, any person who wilfully violates the terms of any court order issued under the authority of the law would be guilty of contempt of court, and subject to punishment as prescribed by law.

10. The Legislative Council also recommends the enactment of legislation making it unlawful to manufacture, possess, display, offer, sell, lend, give away, or purchase any knives of the kind commonly known as "switch blade" knives. The Council further recommends that all knives outlawed by the act should, within a prescribed period of time, be surrendered to chiefs of police or county sheriffs.

11. The Legislative Council believes that a thorough study should be made of Alabama's election laws; and therefore recommends the passage of a joint resolution directing the Council to study the laws of this State relating to elections and the conduct of elections, including registration laws, with a view toward the preparation of an election code embodying such revision of the State's election and registration laws as will provide a modern, efficient system of election and registration administration for Alabama.

One of the recommendations of the 1956-57 interim committee on municipal government was that the Legislative Reference Service be directed to review the statutes, decisions, and opinions relating to the conduct of municipal elections and prepare the bills necessary for the enactment of a comprehensive, clear, and harmonious municipal election law. The staff of the Legislative Reference Service drafted the legislation necessary to carry out this recommendation of the interim committee on municipal government, and the Legislative Council considered these drafts from time to time during the biennium. The draft legislation was submitted to the Alabama League of Municipalities and the office of the Attorney General, with the request that they study such drafts and advise the Council what changes they wanted, if any, in the proposed legislation.

Ultimately, five separate bills relating to the conduct of municipal elections were prepared. One of the bills prescribed procedure for holding a municipal election in cities in towns in the State having a mayor-council form of government; one prescribed the procedure for cities and towns having a commission form of government; one authorized and prescribed the procedure for holding a primary election for the purpose of nominating candidates for municipal offices; one authorized and provided for holding advisory referendums on questions of municipal government; and one amended several sections of Article 6, Chapter 1, of Title 17, Code 1940, to provide that each municipality in the State shall constitute a voting precinct, which may be subdivided for election purposes into wards by the municipal governing body. The purpose of the latter bill is to eliminate difficulties in preparing an accurate list of qualified electors of a municipality which arise when a voting precinct of the county is composed of lands lying both within and without the city. These bills were approved by the Council and were transmitted

to Subcommittee "A" of the Interim Committee on Revision of Laws for their consideration.

When the legislative interim committee on Macon County filed its report with the Legislative Council, for transmission to the Legislature, the committee requested the Council to cause to be drafted appropriate legislation creating a permanent "Macon County Committee," to consist of the representatives from the counties of Montgomery, Elmore, Tallapoosa, Lee, Russell, Bullock, and Macon, along with the senators from the twenty-eighth, tenth, twenty-seventh, and twenty-sixth senatorial districts. In accordance with this request, the Legislative Council directed the Legislative Reference Service to prepare the legislation necessary to implement this recommendation. A resolution creating a "Macon County Standby Committee" was prepared by the Legislative Reference Service, and was approved by the Legislative Council for transmission to the Legislature.

At the time the interim committee on insurance filed its report with the Legislative Council, a proposed new insurance code for Alabama was submitted in bill form and was ready for introduction in the Legislature. The proposed new insurance code was duly transmitted to the Legislature.

The Legislative Council and the Legislative Reference Service further report that during the biennium beginning May 1, 1957, and ending April 30, 1959, the Legislative Reference Service undertook for the Council, legislative committees, individual legislators, the Governor's office and other state agencies and departments, public bodies, civic groups, and others, a total of 967 different recorded requests for research, reference, or bill drafting service. During the biennium under consideration, this work was accomplished with a staff consisting of the director, from three to four professional employees, and four stenographic and clerical employees. The cost of the service provided by the Legislative Reference Service is shown in the following table.

Purpose	Actual 1956-57	Actual 1957-58	Estimated 1958-59
Salary of Director	$10,000.00	$10,000.00	$10,000.00
Other Salaries	29,493.97	34,071.74	38,335.00
Other Expenses	3,748.02	3,675.27	4,000.00
Equipment Purchases	481.55	475.70	500.00
TOTALS	$43,723.54	$48,222.71	$52,835.00

The expenditures of the Legislative Council during the same period are set out in the table below.

Purpose	Actual 1956-57	Actual 1957-58	Estimated 1958-59
Supplies & Materials	$ 35.00	$ 60.58	$ 35.00
Postage, Telephone & Telegraph	13.43	12.05	50.00
Travel Expense	3,043.87	3,502.96	1,915.00
TOTALS	$ 3,092.30	$ 3,575.50	$ 2,000.00

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 63, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 493. To authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Archer	Eddins	Jones	Samford	
Barnett	Farmer	Kendall	Shelton	
Caffey	Givhan	Moses	Webb	
Cooper	Golson	Porter	Word	
Crawford	Graham	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

S. 296. To make appropriations for each of the fiscal years ending September 30, 1960 and September 30, 1961, to the state department of health for its dental program.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Green	Robison	
Barnett	Eddins	Haltom	Shelton	
Berryman	Farmer	Hines	Webb	
Caffey	Gaither	Jones	Wilson	
Cooper	Godfrey	Leonard	Wyatt	
Crawford	Golson	Moses		—26

Nays: —0

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill and Senate Joint Resolution, with the original Senate Bill

and Senate Joint Resolution, respectively and finds same correctly enrolled, to-wit:

S. 4. To amend Title 12, Section 4, Code of Alabama, 1940, as amended, pertaining to reports and remittances by tax collectors.

Also:

S. J. R. 21. Extending the Mental Health Committee's time to report.

HUGH MOSES,
Chairman.

SIGNING OF BILL AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

H. 88. To amend further Section 460 of Title 51, Code of Alabama 1940, in relation to the amount of the annual privilege license payable by attorneys.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Moses
Andrews	Dumas	Green	Roberts
Archer	Eddins	Haltom	Robison
Barnett	Gaither	Hines	Turner
Berryman	Givhan	Jones	Webb
Caffey	Godfrey	Kendall	Wilson
Cooper	Golson	Leonard	Word
Crawford			

—28

Nays: —0

The Bill:

S. 305. To alter, extend, and rearrange the boundary lines and corporate limits of the city of Fayette in Fayette County, Alabama. was taken up.

Mr. Roberts offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR SENATE BILL 305

A BILL
TO BE ENTITLED
AN ACT

To alter, extend, and rearrange the boundary lines and corporate limits of the city of Fayette in Fayette County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the city of Fayette in Fayette County, Alabama, are hereby altered, extended and rearranged so that in addition to the territory presently embraced therein, all of the lands described herein will lie and be within the boundaries and corporate limits of such city:

The northwest quarter (NW¼) of Section 18, Township 16, Range 12 west; the north half of the southeast quarter (N½ of SE¼), the south half of the northeast quarter (S½ of NE¼) and the northwest quarter of the northeast quarter (NW¼ of NE¼), all in Section 12, Township 16, Range 13, west; the west half of the east half (W½ of E½) of Section 1, Township 16, Range 13, west; the southeast quarter (SE¼), the southeast quarter of the northwest quarter (SE¼ of NW¼), and the south half of the northeast quarter (S½ of NE¼) all in Section 36, Township 15, Range 13, west; the south half of the northwest quarter (S½ of NW¼) and the northeast quarter (NE¼) of Section 31, Township 15, Range 12, west; the west half of the northwest quarter (W½ of NW¼) of Section 32, Township 15, Range 12, west; the southwest quarter (SW¼), the southeast quarter (SE¼), the southeast quarter of the northwest quarter (SE¼ of NW¼) and the south half of the northeast quarter (S½ of NE¼) all in Section 29, Township 15, Range 12, west; less and except that part of the NW¼ of Section 18, Township 16 South, Range 12 West, beginning at the northwest corner of the SW¼ of the NW¼ of such Section 18, thence proceed south along the west boundary of such Section 18 a distance of 55.6 feet to a point, thence turn an angle to the left of 94 degrees 58 minutes and proceed northeastwardly a distance of 150 feet, more or less, to a point on the center line of a county road, thence turn an angle to the left and proceed northwestwardly and north along the center of such county road a distance of 395 feet, more or less, to a point of intersection with a county road running northwestwardly, thence turn an angle to the left and proceed northwestwardly along the center line of such road to a point of intersection with the west boundary line of such Section 18, thence turn an angle to the left and proceed southwardly along the west boundary line of such Section 18 to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Archer	Eddins	Haltom	Rutledge	
Barnett	Farmer	Jones	Shelton	
Caffey	Givhan	Kendall	Turner	
Clark	Godfrey	Leonard	Webb	
Cooper	Golson	Moses	Word	
deGraffenried				—24

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts
Archer	Eddins	Haltom	Rutledge
Barnett	Farmer	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Clark	Godfrey	Leonard	Webb
Cooper	Golson	Moses	Word
deGraffenried			—24

Nays: —0

The Bill:

S. 264. To make an appropriation to the board of trustees of Alabama Polytechnic Institute for capital outlays at certain branch experiment stations.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE SUBSTITUTE FOR S. B. 264

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation to the board of trustees of Alabama Polytechnic Institute for capital outlays at certain branch experiment stations.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of 73 thousand dollars ($73,000), or so much thereof as may be necessary, is hereby appropriated from any funds in the state treasury not otherwise appropriated to the use of the board of trustees of Alabama Polytechnic Institute, to be expended as follows: 45 thousand dollars ($45,000) shall be used to construct and equip an auditorium at the Blackbelt Branch Station located at Marion Junction; and 28 thousand dollars ($28,000) shall be used to construct and equip a seed processing and storage facility at the Foundation Seed Stock Farm at Thorsby.

Section 2. This Act shall tak effect October 1, 1959, or if enacted after that date, immediately upon its enactment.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Roberts
Andrews	deGraffenried	Graham	Robison
Archer	Dumas	Haltom	Turner
Barnett	Eddins	Hines	Webb
Berryman	Farmer	Jones	Wilson
Caffey	Gaither	Leonard	Word
Clark	Givhan	Moses	Wyatt
Cooper	Godfrey	Porter	—30

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Moses	
Andrews	deGraffenried	Graham	Porter	
Archer	Dumas	Green	Robison	
Barnett	Eddins	Haltom	Webb	
Berryman	Farmer	Hines	Wilson	
Caffey	Gaither	Jones	Word	
Clark	Givhan	Leonard	Wyatt	
Cooper	Godfrey			—29

Nays: —0

The Bill:

S. 145. Relating to accounts of deceased persons in a Savings and Loan Association. To whom and how paid.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Andrews	Dumas	Green	Rutledge	
Archer	Eddins	Haltom	Turner	
Barnett	Farmer	Hines	Webb	
Berryman	Gaither	Jones	Wilson	
Caffey	Givhan	Moses	Word	
Cooper	Godfrey	Porter	Wyatt	
Crawford	Golson			—29

Nays: —0

The Bill:

S. 149. Relating to definitions of savings and loan associations; amending Section 211, Title 5, Code of Alabama, 1940, and in clarification of Section 250, Title 5, Code of Alabama, 1940.

was taken up.

The Standing Committee on Banking reported the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 149

Senate Bill No. 149 is hereby amended by striking out all of Sections 1 and 2 thereof, and inserting in lieu thereof the following:

Section 1. Section 211, Title 5, Code of Alabama, 1940, is hereby amended to read as follows:

"Section 211. Definitions. — 'Association' is defined to mean a savings and loan association subject to the provisions of this chapter,

and a Federal savings and loan association incorporated pursuant to an Act of Congress known as the Home Owners' Loan Act of 1933, provided, however, that the administrative provisions of this chapter shall not apply to Federal savings and loan associations. 'Board' means the savings and loan board 'Capital' means the aggregate of payments on accounts by members, plus dividends credited to such accounts, less redemption and repurchase payments. 'Combination home and business structure' means a building or buildings, including residences for not more than four families, which is used in part for business purposes. The residential use of such a building must be substantial and permanent, not merely transitory. The business use may predominate. 'Commissioner' means the savings and loan commissioner. 'Direct reduction loan' means a loan repayable in consecutive monthly installments, equal or unequal, beginning not later than sixty days after the date of the advance of the loan, sufficient to retire the debt, interest and principal, within twenty years; provided, however, that the initial loan contract shall not provide for any subsequent monthly installment of an amount larger than any previous monthly installment; and, provided further, that in the case of construction loans the first payment shall not be later than six months after the date of the first advance. Any such loan is an amortized loan. 'Gross income' means the sum for an accounting period of the following: (1) Operating income. (2) Real estate income. (3) All profits actually received during such accounting period from the sale of securities, real estate or other property. (4) Other non-recurring income. 'Home' means a dwelling or dwellings for not more than four families. A property does not cease to be a home because of the incidental use of it for minor business purposes so long as the principal use of the property is for residence purposes. A home on a farm is a home. 'Home loan' means a real estate loan when the security is home property. 'Home property' means real estate on which there is located, or will be located pursuant to a home loan, a home or a combination home and business structure. 'Impairment of capital' means that the assets of an association do not have an aggregate value (in the judgment of the board of directors or the commissioner) equal to the aggregate amount of liabilities of the association to its creditors and members and all other persons. 'Improved real estate' means real estate (other than land in a state of nature or wild land) on which there is a structure or an enclosure, which is cultivated, reclaimed, used for the purpose of agriculture in any form, or otherwise occupied, made better, more useful or of greater value by care so as to produce an enjoyment thereof. 'Insured association' means an association insured by the federal savings and loan insurance corporation created under title IV of the national housing act. 'Member' means a person owning an account of an association, evidenced by a membership certificate issued in the name of such person, or a person borrowing from an association and holding a membership certificate issued in the name of such borrower. 'Net earnings' means gross income for an accounting period less the aggregate of the following: (1) Operating expenses. (2) Real estate expenses. (3) All losses actually sustained during such accounting period from the sale of securities, real estate or other property, or such portion of such losses as shall not have been charged to reserves, pursuant to the provisions of section 223 of this title. (4) All interest paid, or due but unpaid, on borrowed money. (5) Other non-recurring charges. 'Net earnings available for dividends' means net earnings for an accounting period less amounts transferred to reserves as provided in section 223 of this chapter. 'Operating expenses' means all expenses actually paid, or due but unpaid, by an association during an accounting period, excluding the following: (1) Real estate expenses. (2) Interest on borrowed money. (3) Other non-recurring charges. That portion of prepaid expenses not apportionable to the period may be ex-

cluded from operating expenses, in which event operating expenses for future periods shall include that portion of such prepaid expenses apportionable thereto. 'Operating income' means all income actually received by an association during an accounting period, excluding the following: (1) Real-estate income. (2) Other non-recurring income. 'Other real-estate loan' means a real-estate loan when the security is improved real estate other than home property. 'Participating Value' means the aggregate of payments by a member on an account, plus dividends credited thereto, less redemption and repurchase payments thereon. 'Real estate expenses' means all expenses actually paid, or due but unpaid, in connection with the ownership, maintenance and sale of real estate (other than office building or buildings) by an association during an accounting period, excluding capital expenditures and losses on the sale of real estate. 'Real estate income' means all income actually received by an association during an accounting period from real estate owned (other than from office building or buildings), excluding profit from sales or real estate. 'Real estate loan' means a loan on the security of real estate evidenced by any form of instrument whereby a lien is created upon such real estate for the benefit of another person or whereby title to real estate is conveyed to another person; in either case as security for the payment of an obligation to such person; or whereby title to real estate is conveyed another person as trustee for a third person, as security for the payment of an obligation to such third person. 'The regular lending area' means the county in which the home office of an association is located and the counties of the state, or adjoining states, immediately adjoining and abutting on such county and any additional area within fifty miles from the home office."

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Moses
Andrews	deGraffenried	Green	Robison
Archer	Dumas	Haltom	Turner
Barnett	Gaither	Hines	Webb
Berryman	Givhan	Jones	Wilson
Caffey	Godfrey	Kendall	Word
Cooper	Golson	Leonard	Wyatt

—27

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Archer	Eddins	Jones	Shelton
Barnett	Farmer	Kendall	Turner
Berryman	Godfrey	Leonard	Webb
Caffey	Golson	Moses	Wilson
Clark	Graham	Porter	Word
Crawford	Green	Robison	Wyatt
deGraffenried	Haltom		

—29

Nays: —0

The Bill:

S. 161. Relating to cooperative agricultural associations: To amend Sections 116, 117 and 118 of Title 2 of the Code of Alabama of 1940 which relate to the organization and management of agricultural cooperative associations such amendments to prescribe the procedure whereby said organizations may amend its declarations of incorporation, by-laws and fill vacancies occurring on boards of directors.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Samford	
Andrews	Eddins	Jones	Shelton	
Barnett	Farmer	Leonard	Turner	
Berryman	Gaither	Moses	Webb	
Caffey	Godfrey	Porter	Wilson	
Cooper	Graham	Roberts	Word	
Crawford	Green	Robison	Wyatt	
deGraffenried	Haltom			—29

Nays: —0

The Bill:

S. 162. Relating to cooperative agricultural associations: To amend Section 76 of Title 2 of the Code of Alabama of 1940 to authorize Boards of Directors of Agricultural cooperative associations to mortgage real estate owned by such cooperative associations.

was taken up.

Mr. Farmer offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 162

Amend Senate Bill No. 162 by striking out the period (.) appearing at the end of the last sentence of Section 1 and add thereto the following:

"; provided, however, that Boards of Directors of such cooperative associations shall not be authorized to mortgage real property unless such action is favored and approved by not less than a majority of the membership of the Board of Directors."

Which was adopted.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Crawford	Haltom	Robison	
Archer	deGraffenried	Hines	Shelton	
Barnett	Eddins	Jones	Turner	
Berryman	Farmer	Leonard	Webb	
Caffey	Godfrey	Moses	Wilson	
Clark	Golson	Porter	Word	
Cooper	Graham			—25

Nays: Messrs. Dumas and Samford. —2

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Cooper	Green	Robison	
Andrews	Crawford	Haltom	Shelton	
Archer	deGraffenried	Hines	Turner	
Barnett	Eddins	Jones	Webb	
Berryman	Farmer	Leonard	Wilson	
Caffey	Godfrey	Porter	Word	
Clark	Graham			—25

Nays: Messrs. Dumas and Samford. —2

The Bill:

S. 160. Relating to cooperative agricultural associations: To amend Section 105 of Title 2 of the Code of Alabama of 1940 which relates to the use of the word "cooperative" in the name of agricultural cooperative associations.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Robison	
Andrews	Dumas	Hines	Shelton	
Barnett	Farmer	Jones	Turner	
Berryman	Gaither	Kendall	Webb	
Caffey	Godfrey	Leonard	Wilson	
Clark	Golson	Moses	Word	
Cooper	Graham	Porter	Wyatt	
Crawford	Green	Roberts		—30

Nays: —0

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 53. To amend further Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, p. 601), entitled "An Act To provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws," so as to provide for absentee voting only by certain electors.

as amended.

The question was on the motion of Mr. Dumas to table the amendment offered by Mr. Andrews to the substitute for the Bill, as amended, which said amendment is set out at length in the Journal of the Senate for the Nineteenth Legislative Day. The substitute offered by Mr. Andrews for the bill, as amended, is set out at length in the Journal of the Senate for the Eleventh Legislative Day.

The motion to table said amendment was lost.

Yeas 9; Nays 19.

Yeas:

Messrs.:	Dumas	Jones	Robison
Caffey	Graham	Leonard	Shelton
deGraffenried	Haltom		—9

Nays:

Messrs.:	Cooper	Golson	Roberts
Andrews	Crawford	Green	Samford
Archer	Eddins	Hines	Turner
Berryman	Farmer	Moses	Webb
Clark	Godfrey	Porter	Wilson
			—19

And the amendment offered by Mr. Andrews to the substitute for the Bill, as amended, was then adopted by the Senate.

Mr. Andrews then offered the following amendment to the substitute, as amended, for the Bill, S. B. 53, as amended, to-wit:

AMENDMENT TO ANDREWS SUBSTITUTE FOR SENATE BILL 53

Amend Senate Bill No. 53 by striking out Section 1 entirely and substituting therefor the following:

Section 1. Sections 2, 5, and 9 of the Act approved August 19, 1949 (Acts of Alabama 1949, page 601) entitled "An Act to provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws," as amended, are amended to read as follows:

"Section 2. (a) Any qualified elector of this state who is in service as a member of the armed forces of the United States, whose regular duty requires that he be absent from the county of his residence on the date of any primary, general, special, or municipal election is to be held, and any qualified elector who is the wife of any such elector in service who resides with him at his duty station, may vote in the election in the manner and under the regulations hereinafter prescribed.

"(b) Any qualified elector of this State, whose name, at the time of any primary, general, special, or municipal election, appears on the official list of those qualified voters as certified by the Board of Registrars to the manager of the absentee box as hereinafter provided for in any county of the State, and whose name appears on the official list of qualified voters in any county in the State, or who makes a challenged voter's oath, whose regular business or occupation regularly requires that he be absent from the county, and who may, at any primary, general, special, or municipal election held pursuant to law in this state by reason of his regular business or occupation, and in the performance of the duties thereof, being absent from the state, or from the county in which he is a qualified elector, may vote in such primary, general, special, or municipal election in the manner and under the regulations hereinafter prescribed, with like effect as if he were casting his vote in person at his regular and proper voting place.

"(c) Any qualified elector of this state may present himself to the Board of Registrars of his county at any time before February 1, 1960 or any subsequent year, at any regular or special meeting thereof for the purpose of having the Board of Registrars place his name on

the list of qualified electors eligible to vote an absentee ballot in any primary, general, special, or municipal election held thereafter. The Board of Registrars shall ascertain from each person presenting himself before the Board for the purpose of having his name placed on the list of qualified absentee voters, the name of the person, his address, age, whether or not he is a qualified elector of said county, the name and address of such person's employer and the exact nature of the duties of such person's employment. In the event the Board of Registrars finds that such person is a qualified elector of said county and is engaged in a regular business or occupation which regularly requires that he be absent from the county, the Board of Registrars shall place such person's name on the list of qualified electors entitled to vote an absentee ballot in any primary, general, special, or municipal election. Each Board of Registrars in the state shall, not later than February 15 of each year, prepare a list of the names of those persons enrolled on the qualified absentee voters list and file the same with the Probate Judge of their respective counties and with the Secretary of State.

"(d) The Judge of Probate of each county in the state shall, not less than twenty-one days prior to the holding of any election to which this Act pertains, deliver to the register or person serving in his stead the list of those persons certified by the Board of Registrars to the Judge of Probate as being qualified to vote an absentee ballot.

"Section 5. The official absentee ballots for any election to which the Act pertains shall be in the same form as the official regular ballots for the election, except that they shall bear printed thereon the words 'Official Absentee Ballot' and except that there shall be printed on the back of each ballot one of the affidavit forms herein required. Further, each absentee ballot shall be in duplicate, the intent of this provision being that every absentee voter under this Act shall submit two copies of his completed ballot, one original and one carbon. Such ballots shall be so prepared that the signature of the voter on the required affidavit may be covered by material which shall be provided by the official distributing said ballots so that the name of the voter cannot be seen by any election officials. The intent of this provision is to provide a secret ballot in absentee voting.

"Section 9. Any prospective absentee voter who meets the requirements prescribed in Section 2 (b), above, and whose name appears on the official list of absentee voters, may, not more than twenty days and not less than five days prior to the election at which he desires to vote, present himself before the register of the county wherein the election is to be held or before the person designated to serve instead of the register. If the name of the voter is on the official list of qualified voters of the county, and on the official list of qualified absentee voters of said county, or if the voter makes an affidavit for a challenged vote and the register is satisfied that the voter is the person he claims to be, and a member of the party in which he claims to be a member, the register shall tender the voter the duplicate absentee ballot required for this Act, including necessary carbon paper, and the required envelope, first filling in the blanks in the upper left corners thereof. The official list of qualified voters herein referred to shall be furnished the register by the probate judge or other person preparing said list at least twenty-one days before the election.

"Any prospective absentee voter meeting the requirements of Section 2 (a) who is a member of the armed forces of the United States, or the wife of any such person, if she meets the requirements of said section, may, not more than forty-five nor less than five days prior to the election at which he or she desires to vote, make application for an absentee ballot, as herein provided to be made by a prospective

voter in person, by filling out the Federal post card application form, authorized and provided for under the provisions of 'The Federal Voting Assistance Act of 1955' (Public Law 296, Chapter 656, H. R. 4048, approved August 9, 1955, 84th Congress, 1st Session), and mailing such application to the register, or to the person designated to serve instead of the register. The affidavit herein provided to be attached to the absentee ballot shall be executed by the prospective voter in person before such commanding officer or authority in charge who shall certify to such fact. Such ballot shall be returned by United States mail to the register or to the person acting in his stead and shall be by him marked the day and hour of the receipt thereof. When received by the register or person acting in his stead, the ballot shall be handled and counted in the same manner as ballots voted before the register in person."

Section 1(a): The electors who register as absentee voters shall vote only in the absentee box, and shall not thereafter vote in any other manner, unless and until his name has been removed from the absentee voter list.

Which was adopted.

And the substitute, as thus amended, for the Bill, S. B. 53, as amended, was then adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Porter	
Andrews	deGraffenried	Graham	Robison	
Barnett	Dumas	Green	Samford	
Berryman	Eddins	Haltom	Turner	
Caffey	Farmer	Hines	Webb	
Clark	Gaither	Jones	Wilson	
Cooper	Givhan	Moses	Word	
				—27

Nays: —0

PAIRED VOTE ANNOUNCED

Mr. Shelton announced that he was paired with Mr. Kendall on this vote; that Mr. Kendall, if present, would vote "Yea" and he, Mr. Shelton, would vote "Nay".

And said Bill, S. B. 53, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Crawford	Graham	Robison	
Andrews	deGraffenried	Green	Samford	
Barnett	Eddins	Haltom	Turner	
Berryman	Farmer	Hines	Webb	
Caffey	Gaither	Jones	Wilson	
Clark	Givhan	Moses	Word	
Cooper	Golson	Porter		—26

Nay: Mr. Dumas. —1

PAIRED VOTE ANNOUNCED

Mr. Shelton announced that he was paired with Mr. Kendall on this vote; that Mr. Kendall, if present, would vote "Yea", and he, Mr. Shelton, would vote "Nay".

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 22. Relating to expressing deep conviction that the State Superintendent, Dr. J. S. Tarwater, has and is rendering outstanding and high professional service in the management of our state mental hospitals.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Gordon:

H. 513. Relating to Blount County; abolishing the board of finance and control created by Act No. 334, H. 954, approved September 2, 1955, and restoring and re-establishing the court of county commissioners of Blount County in lieu thereof; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENACTED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Blount County; abolishing the board of finance and control created by Act No. 334, H. 954, approved September 2, 1955, and restoring and re-establishing the court of county commissioners of Blount County in lieu thereof; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

Section 1. The board of finance and control of Blount County created by Act. No. 334, H. 954, approved September 2, 1955, is abolished, and in lieu thereof there is hereby restored and re-established in Blount County a court of record styled the court of county commissioners of Blount County, which shall be composed of the judge of probate as principal judge, and four commissioners who shall be elected as hereinafter provided.

Section 2. One county commissioner shall be elected from each of the four districts into which the county is now divided by law for the purpose of electing members of the county governing body of Blount County. A candidate for county commissioner must be a qualified elector and legal resident of the district he seeks to represent and shall continue to reside therein during his continuance in office. Commissioners from districts one and three shall be elected at the general election to be held in 1962, and every four years thereafter. Commissioners from districts two and four shall be elected at the general election to be held in 1960, and every four years thereafter. The commissioners elected under the provisions of this Act shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified.

Section 3. The present four associate members of the board of finance and control of Blount County shall serve as county commissioners of the court of county commissioners of Blount County until their successors are elected and qualified as herein provided.

Section 4. Each commissioner elected under the provisions of this Act shall receive as compensation for the services rendered in his capacity as commissioner a salary of three thousand dollars ($3,000) per annum, payable in equal monthly installments, plus mileage at the rate of seven cents ($.07) per mile for each mile traveled on official county business, but the mileage provided herein shall not exceed fifty dollars ($50.00) per month. A part of the commissioners' salaries may be paid out of the county gasoline tax revenues, provided that the part of such salaries so paid out of county gasoline tax revenues shall bear the same proportion to the total salary paid to such commissioner as the time devoted by such commissioner to supervising, inspecting, accepting, building, or repairing county roads and bridges bears to the total time devoted by such commissioner to all his duties as a member of the court of county commissioners. The court of county commissioners shall determine the proportion of such salaries to be paid out of county gasoline revenues. The judge of probate of Blount County shall be entitled to the compensation provided by law for judges of probate who serve as principal judge of courts of county commissioners.

Section 5. The court of county commissioners of Blount County shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners, boards of revenue, or like county governing bodies by the general laws of this State, or vested in the governing body of Blount County by local law; and the members of the court of county commissioners shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by the general laws of this State for the members of courts of county commissioners, boards of revenue, or like county governing bodies, or for the members of the governing body of Blount County by local law.

Section 6. All laws or parts of laws in conflict with this Act are repealed; and Act No. 334, H. 954, approved September 2, 1955, which

created the board of finance and control of Blount County, is expressly repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. The substantial provisions of this Act shall become operative only if approved by a majority of the qualified electors of Blount County who vote in a referendum to be held on the same day as the first county-wide election held after the date of this enactment. The board of finance and control of Blount County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the referendum the question shall be stated substantially as follows: "Shall the provisions of Act No. . . . of the 1959 Regular Session of the Legislature, which abolishes the board of finance and control of Blount County and recreates and re-establishes in lieu thereof a court of county commissioners for Blount County, be adopted? (Yes) (No)." If the majority of the votes cast at the referendum are "Yes", all the provisions of this Act shall become operative immediately. If the majority of the votes cast are "No", the Act shall have no further effect. The judge of probate of Blount County shall certify the results of the election to the Secretary of State of Alabama within thirty days after the result thereof has been ascertained. 21M4t

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 21, May 28. June 4, and June 11, all in the year 1959.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me June 11, 1959.

MOLLY RYAN,
Notary Public.

Also:

By Mr. Grouby:

H. 518. To abolish school district no. 6, Autauga County, and to annex the territory constituting such school district to school district no. 2 of said county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To abolish school district No. 6, Autauga County, and to annex the territory constituting such school district to school district No. 2 of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. After this Act takes effect, the territory constituting school district No. 6, in Autauga County, shall be annexed and added to the territory constituting school district No. 2 of said county, and school district No. 6 shall cease to exist as a separate school district of the county. Provided, that all school district taxes heretofore levied or voted for school district No. 6 shall continue in effect and shall be levied and collected for school district No. 2; and all indebtedness heretofore incurred for or on behalf of school district No. 6 shall be a charge against the revenues or funds accruing to school district No. 2.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 2J4c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-2-59, 7-9-59, 7-16-59, and 7-23-59, all in the year 1959.

MRS. H. M. DOSTER,
Publisher.

Sworn to and subscribed before me August 25, 1959.

LESSIE M. KREIS,
Notary Public.

Also:

By Mr. Grouby:
H. 519. To provide for the election of members of the county board of education of Autauga County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the election of members of the county board of education of Autauga County.

Be It Enacted by the Legislature of Alabama:

Section 1. After this Act takes effect, a member of the board of education of Autauga County shall be nominated and elected for each of the several school districts of the county, by the qualified electors of the county, as follows: A member of District No. 4 shall be elected at the general election in November 1960, and every six years thereafter; a member for District No. 1 and a member for District No. 2 shall be elected at the general election in November 1962, and every six years thereafter; and a member for District No. 3 and a member for District No. 5 shall be elected at the general election in November 1964, and every six years thereafter. Each member of the county board of education must be a resident and qualified elector of the district for which he is elected, at the time of his election and during his continuance in office.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 2J4c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, Publisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-2-59, 7-9-59, 7-16-59, and 7-23-59, all in the year 1959.

MRS. H. M. DOSTER,
Publisher.

Sworn to and subscribed before me August 25, 1959.

LESSIE M. KREIS,
Notary Public.

Also:

By Mr. Phillips:
H. 525. To regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census.

Also:

By Mr. Casey:
H. 526. Relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The circuit clerk and register in chancery of Cleburne County may employ a stenographic secretary, whose salary shall be fixed by the court of county commissioners, board of revenue or like governing body of Cleburne County at an amount not less than six hundred dollars ($600) nor more than one thousand eight hundred dollars ($1,800) a year, to be paid in equal monthly installments from the general funds of Cleburne County.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-4-4tc(cc)

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred Eiland, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 4, June 11, June 18, and June 25, all in the year 1959.

FRED EILAND.

Sworn to and subscribed before me this 13th July, 1959.

JERRE P. WATSON,
Notary Public, State at Large.

Also:

By Mr. Bishop:
H. 530. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

The Board of Commissioners of the City of Tuscumbia, Alabama, hereby gives notice that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said city all of the following described territory:

DESCRIPTION

DESCRIPTION of a tract of land being a portion of Sections 15, 16, and 17, T-4-S, R-11-W, and being more specifically described as the Northwest ¼ of Section 15, the Northeast ¼ of Section 16, the North ½ of the Northwest ¼ of Section 16, the North ½ of the Northeast ¼ of Section 17, and the Northeast ¼ of the Northwest ¼ of Section 17, all in T-4-S, R-11-W, and being more fully described as follows:

Beginning at the Northwest corner of Section 15, T-4-S, R-11-W, thence North 87 degrees 17' East along the North line of the said Section 15 a distance of 2660 feet to the Northeast corner of the Northwest ¼ of the said Section 15, said point also being the Southeastmost corner of the existing corporate limit line of the City of Tuscumbia, Colbert County, Alabama; thence South 5 degrees 15' East along the East line of the Northwest ¼ of Section 15 a distance of 2620.0 feet to the Southeast corner of the Northwest ¼ of Section 15; thence South 86 degrees 23' West along the South line of the said Northwest ¼ of Section 15 a distance of 2649.18 feet to the Southwest corner of the Northwest ¼ of Section 15, said point also being the Southeast corner of the Northeast ¼ of Section 16; thence South 86 degrees 08' West along the South line of the said Northeast ¼ of Section 16 a distance of 2645.52 feet to the Southwest corner of the said Northeast ¼ of Section 16; thence North 5 degrees 58' West along the West line of the said Northeast ¼ of Section 16 a distance of 1325.39 feet to a point, said point being the Southeast corner of the North ½ of the Northwest ¼ of Section 16; thence South 86 degrees 01' West along the South line of the North ½ of the Northwest ¼ of Section 16, a distance of 2657.46 feet to the Southwest corner of the North ½ of the Northwest ¼ of Section 16; the said point also being the Southeast corner of the North ½ of the Northeast ¼ of Section 17; thence South 86 degrees 25' 30" West along the South line of the North ½ of the Northeast ¼ of Section 17 and the South line of the Northeast ¼ of the Northwest ¼ of Section 17 a distance of 4052.01 feet to a point, said point being the Southwest corner of the Northeast ¼ of the Northwest ¼ of Section 17; thence North 4 degrees 17' 30" West along the West line of the said Northeast ¼ of the Northwest ¼ of Section 17 a distance of 1311.0 feet to a point on the North

line of Section 17, said point being the Northwest corner of the Northeast ¼ of the Northwest ¼ of the said Section 17; thence North 86 degrees 19' East along the North line of the said Section 17 a distance of 4000.91 feet to the Northeast corner of the said Section 17, said point being the Northwest corner of the said Section 16; thence North 85 degrees 53' East along the North line of the said Section 16 a distance of 5338.8 feet to the point of beginning of the tract herein described, said point being the Northeast corner of the said Section 16 containing 525.16 acres, more or less.

Section 2. The real estate annexed by this Bill shall be exempt from all advalorem taxes, except school district taxes or taxes for school purposes, for a period of ten years so long as said property is used for agricultural purposes and is not subdivided.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CITY OF TUSCUMBIA, ALABAMA,
By Lurline Cook, City Clerk.

7-16-4t tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Colbert County Reporter, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 16, July 23, July 30, and August 6, all in the year 1959.

W. F. MILLER.

Sworn to and subscribed before me 14th of August, 1959.

FRANCES DI RAGO,
Notary Public.

Also:

By Mr. Guthrie:
H. 531. To amend Section 1 of the act of August 19, 1957, changing the method of compensating certain officers of Cullman County (Act No. 297, H. 554, Acts 1957, Vol. I, p. 379).

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of the act of August 19, 1957, changing the method of compensating certain officers of Cullman County (Act No. 297, H. 554, Acts 1957, Vol. I, p. 379).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of the act of August 19, 1957, changing the methods of compensating certain officers of Cullman County (Act No. 297, H. 554, Acts 1957, Vol. I, p. 379) is hereby amended to read as follows:

"Section 1. The following officers of Cullman County shall receive the following annual salaries in lieu of all other compensation:

"(a) Probate Judge — $9,000.00
Clerk Hire allowance — $18,500.00
Any unexpended balance of such clerk hire allowance remaining at the end of the year shall revert to the county treasury, and the appropriation therefor shall lapse.

"(b) Sheriff — $8,500.00
Chief Deputy — $4,000.00 to $4,500.00
3 Deputies — $3,500.00 to $3,800.00 each
Sheriff's clerk — $2,000.00 to $3,000.00
Only fees on illicit whiskey go to Sheriff — balance to County General fund.

"(c) Tax Assessor — $7,000.00
Clerk Hire allowance — $6,000.00

"(d) Tax Collector — $7,000.00
Clerk Hire allowance — $6,000.00

"(e) Circuit Clerk — $6,000.00
Clerk Hire allowance — $4,500.00

"(f) Register of the Circuit Court — $6,000.00
1 Deputy Register — $2,000.00 to $3,600.00

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 2, 9, 16, 23 - col.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry F. Arnold, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 2, July 9, July 16, and July 23, all in the year 1959.

HENRY F. ARNOLD.

Sworn to and subscribed before me July 24th, 1959.

P. M. HOWARD,
Notary Public.

Also:

By Messrs. Adams (Houston), Chambers, and Solomon:

H. 538. To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

NOTICE IS HEREBY GIVEN THAT THERE WILL BE INTRODUCED FOR PASSAGE AT THE MAY, 1959, SESSION OF THE LEGISLATURE OF ALABAMA, A LOCAL BILL PROVIDING IN SUBSTANCE AS FOLLOWS:

A BILL
TO BE ENTITLED
AN ACT

To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That in the 20th Judicial Circuit of Alabama (composed of Henry County and Houston County), there is hereby established the office of Clerk-Secretary to the Judge of the 20th Judicial Circuit of Alabama.

Section 2. Immediately upon the passage of this Act, and its approval, the Judge of the 20th Judicial Circuit of Alabama, shall appoint a Clerk-Secretary who shall serve at the pleasure of the said Circuit Judge, and the said Clerk-Secretary may be removed from office at any time by the said Circuit Judge.

Section 3. The said Clerk-Secretary shall do all of the clerical and secretarial work required of such Clerk-Secretary by the Circuit Judge of said 20th Judicial Circuit of Alabama, and shall keep such records and perform such other duties pertaining to the office of the Circuit Judge, as such Clerk-Secretary shall be instructed or required to do by the said Judge of said 20th Judicial Circuit. The said Clerk-Secretary shall have the same authority now possessed by Clerks of the Circuit Courts of Alabama to administer oaths.

Section 4. The said Clerk-Secretary to the Circuit Judge of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said Judge, not to exceed the sum of Three Thousand Six Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay its pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Judge of the Court in favor of such Clerk-Secretary.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. June 23, 30, July 7, 14, 1959.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: June 23, 30, July 7, 14, 1959 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 23rd day of July, 1959.

JOHN D. HENDERSON,
Notary Public.

NOTICE OF PROPOSED LEGISLATION

NOTICE IS HEREBY GIVEN THAT THERE WILL BE INTRODUCED FOR PASSAGE AT THE MAY, 1959, SESSION OF THE LEGISLATURE OF ALABAMA, A LOCAL BILL PROVIDING IN SUBSTANCE AS FOLLOWS:

A BILL
TO BE ENTITLED
AN ACT

To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General funds of Houston and Henry Counties of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That in the 20th Judicial Circuit of Alabama (composed of Henry County and Houston County), there is hereby established the office of Clerk-Secretary to the Judge of the 20th Judicial Circuit of Alabama.

Section 2. Immediately upon the passage of this Act, and it's approval, the Judge of the 20th Judicial Circuit of Alabama, shall appoint a Clerk-Secretary who shall serve at the pleasure of the said Circuit Judge, and the said Clerk-Secretary may be removed from office at any time by the said Circuit Judge.

Section 3. The said Clerk-Secretary shall do all of the clerical and secretarial work required of such Clerk-Secretary by the Circuit Judge of said 20th Judicial Circuit of Alabama, and shall keep such records and perform such other duties pertaining to the office of the Circuit

Judge, as such Clerk-Secretary shall be instructed or required to do by the said Judge of said 20th Judicial Circuit. The said Clerk-Secretary shall have the same authority now possessed by Clerks of the Circuit Courts of Alabama to administer oaths.

Section 4. The said Clerk-Secretary to the Circuit Judge of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said Judge, not to exceed the sum of Three Thousand Six Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing the 20th Judicial Circuit of Alabama, each county to pay its pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Judge of the Court in favor of such Clerk-Secretary.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 11-18-25-July 2c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HENRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Edward Dodd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Abbeville Herald, a newspaper of general circulation published in Henry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 11, June 18, June 25, and July 2, all in the year 1959.

J. EDWARD DODD.

Sworn to and subscribed before me July 6th, 1959.

G. D. HALSTEAD,
Notary Public.

Also:

By Mr. Turner:
H. 541. To prohibit the use of nets for fishing in Limestone County, and making the possession of prohibited nets under described conditions prima facie evidence of their illegal use; prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the use of nets for fishing in Limestone County, and making the possession of prohibited nets under described conditions prima facie evidence of their illegal use; prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Whoever takes, catches, or kills, or attempts to take, capture, or kill any game or non-game fish in the public fresh waters of the state in Limestone County, by the use of a hoop or fyke net, seine, gill net, or trammel net, is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than 50 dollars nor more than 500 dollars or imprisonment for not less than 30 days nor more than six months; and hereafter no person shall be licensed by the state department of conservation or the director thereof to use hoop and fyke nets, gill nets, trammel nets, or seines in commercial fishing operations in Limestone County.

Section 2. The possession by any person of any hoop or fyke net, seine, gill net, or trammel net on the bank of a public stream or other public body of water or in a boat on such water in Limestone County shall be prima facie evidence that such net is being used illegally for the purpose of taking, catching, or killing, or attempting to take, catch, or kill game or non-game fish in violation of this Act.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, Aug. 4, and Aug. 11, all in the year 1959.

STEELE McGREW.

Sworn to and subscribed before me Aug. 14, 1959.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Turner:

H. 542. To regulate further the office of sheriff of Limestone County; requiring the sheriff of such county and his deputies when engaged

in official duties to wear uniforms and when motor vehicles are used in connection therewith to use motor vehicles that are plainly marked or identified as vehicles used in the discharge of the official duties of the office of sheriff; authorizing and directing the county governing body to prescribe the style of the uniforms to be worn and the manner of marking or identifying the motor vehicles so used and to provide for the furnishing of such uniforms to such officers and the marking of such vehicles at county expense; prescribing penalties for failure to wear such uniforms or to use marked vehicles as herein required; and prescribing a defense for such failure in certain instances.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the office of sheriff of Limestone County; requiring the sheriff of such county and his deputies when engaged in official duties to wear uniforms and when motor vehicles are used in connection therewith to use motor vehicles that are plainly marked or identified as vehicles used in the discharge of the official duties of the office of sheriff; authorizing and directing the county governing body to prescribe the style of the uniforms to be worn and the manner of marking or identifying the motor vehicles so used and to provide for the furnishing of such uniforms to such officers and the marking of such vehicles at county expense; prescribing penalties for failure to wear such uniforms or to use marked vehicles as herein required; and prescribing a defense for such failure in certain instances.

Be It Enacted by the Legislature of Alabama:

Section 1. After the sixtieth day following the date on which this Act becomes law the sheriff of Limestone County and each of his regularly employed deputies shall, whenever they are engaged in the performance of their official duties, wear a uniform of such style or design as is prescribed by the court of county commissioners, board of revenue or other county governing body, and, if a motor vehicle is used in connection with the performance of such duties, shall use a vehicle which is plainly marked or identified on both sides thereof as a vehicle used in the discharge of the official duties of the office of sheriff.

Section 2. The court of county commissioners, board of revenue or other county governing body is authorized and directed to prescribe the style or design of the uniform to be worn by the sheriff and each of his regularly employed deputies, and the manner of marking the vehicles so that they may be readily identified from either side. The county governing body shall also provide for procuring such uniforms at the expense of the county and supplying them to the sheriff and to each deputy whose compensation is paid pursuant to law by the county, and for marking or otherwise identifying such vehicles at the expense of the county.

Section 3. Failure of the sheriff or of a deputy sheriff of Limestone County to wear the prescribed uniform or to use a marked vehicle as required in this Act shall be deemed neglect of official duty and shall subject the sheriff of Limestone County to a penalty of one hundred dollars ($100), one-half of which shall be for the use of the county and the other one-half for the use of any person who may sue therefor. Any citizen of Limestone County may sue, in his own name, for this penalty in the circuit court of such county. Provided, however, that proof by the sheriff that he or the deputy, as the case may be, at the time complained of, was engaged in a duty the consummation of which, he had good reason to believe would be prevented, hindered or impeded had such officer been wearing a uniform or using a marked or identified vehicle, shall be a complete defense to such action.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. J28

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 7, July 14, July 21, and July 28, all in the year 1959.

STEELE McGREW.

Sworn to and subscribed before me August 3, 1959.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Turner:

H. 543. To provide for the appointment of a part-time clerk by the sheriff of any county having a population of not less than 35,500 nor more than 38,500, according to the last or any subsequent federal decennial census, whose compensation shall be paid by the county.

Also:

By Mr. Turner:

H. 544. To fix and provide for payment of the compensation of clerks and assistants of certain officers of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix and provide for payment of the compensation of clerks and assistants of certain officers of Limestone County.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of sixteen thousand two hundred dollars ($16,200), or so much thereof as may be necessary, shall be appropriated annually from the general fund of Limestone County for the payment of the compensation of the clerks and assistants of the judge of probate. Such appropriation shall be used exclusively to pay the salaries of four clerks at not exceeding two hundred fifty dollars a month each, one clerk at not exceeding three hundred dollars a month, and a part time clerk at not exceeding two hundred dollars a month for not more than three months each year.

Section 2. The further sum of three thousand six hundred dollars ($3,600), or so much thereof as may be necessary, shall be appropriated annually from the general fund of Limestone County for payment of the compensation of the clerks and assistants of the tax collector of Limestone County. Such appropriation shall be used exclusively to pay the annual salary of one full time clerk at not exceeding two hundred fifty dollars a month and the salary of a part time clerk not exceeding two hundred dollars a month, for not more than three months each year.

Section 3. The further sum of three thousand six hundred dollars ($3,600), or so much thereof as may be necessary, shall be appropriated annually from the general fund of Limestone County for payment of the compensation of the clerks and assistants of the tax assessor of Limestone County. Such appropriation shall be used exclusively to pay the annual salary of one full time clerk at not exceeding two hundred fifty dollars a month and the salary of a part time clerk at not exceeding two hundred dollars a month, for not more than three months each year.

Section 4. The sum of three thousand six hundred dollars ($3,600), or so much thereof as may be necessary, shall be appropriated annually from the general fund of Limestone County to pay the clerk of the clerk of the circuit court of Limestone County a monthly salary of not more than three hundred dollars.

Section 5. The appropriations herein provided for shall lapse at the end of the fiscal year for which they are made, and the unexpended balances thereof shall revert to the general fund of Limestone County.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall take effect on the first day of the month next following the date of its enactment; and such sums as may be necessary are hereby appropriated from the general fund of Limestone County to pay the salaries of clerks and assistants of the several county officers as herein mentioned for the fiscal year ending September 30, 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 7, July 14, July 21, and July 28, all in the year 1959.

STEELE McGREW.

Sworn to and subscribed before me August 3, 1959.

LOLA L. ORR,
Notary Public.

Also:

By Messrs. Barnett and Long (Perry):

H. 556. To provide for the payment of expenses incurred by members of the Court of County Commissioners, Board of Revenue, or like governing body of Perry County which are incurred in the performance of their duties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

THE STATE OF ALABAMA
PERRY COUNTY

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

To provide for the payment of expenses incurred by members of the Court of County Commissioners, Board of Revenue, or like governing body of Perry County which are incurred in the performance of their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Court of County Commissioners, Board of Revenue, or like governing body of Perry County, not including the President or Chairman thereof, shall be entitled to receive, in addition to all other expenses now allowed by law, the sum of One Hundred Dollars, ($100.00), per month for expenses incurred by the use of his or her privately owned vehicle and otherwise in the performance of his or her duties. Such expense shall be paid at the end of each

month in the same manner and from the same funds as is now provided for by law.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-4-4tx

TO WHOM IT MAY CONCERN:

I, J. M. Wallace, Editor of The Marion Times-Standard, a weekly newspaper of general circulation, published Thursday of each week in the City of Marion, Perry County, Alabama, do hereby certify that the attached notice was published in our issues of June 4, June 11, June 18 and June 25, 1959.

J. M. WALLACE,
Editor.

Sworn to and subscribed before me this 25 day of June, 1959.

L. M. RICHARDSON,
Notary Public, Perry County, Ala.

Also:

By Messrs. Barnett and Long (Perry):
H. 557. To provide for appointment of an additional deputy by the sheriff of Perry County, and for the payment of his compensation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for appointment of an additional deputy by the sheriff of Perry County, and for the payment of his compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Perry County may, with the approval of the court of county commissioners, board of revenue, or other like governing body of said county, appoint a deputy in addition to all other deputies provided for or authorized by law, whose compensation shall be an annual salary, to be paid from the county treasury in equal monthly installments not exceeding $3600.00 dollars. The salary of such deputy shall be fixed by the court of county commissioners, board of revenue, or other like governing body of the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 6-18-4tx.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1959.

J. M. WALLACE.

Sworn to and subscribed before me July 9, 1959.

L. M. RICHARDSON,
Notary Public.

Also:

By Mr. Speaks:

H. 523. To regulate further payment of compensation to deputy sheriffs by Chilton County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further payment of compensation to deputy sheriffs by Chilton County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

Be It Enacted by the Legislature of Alabama:

Section 1. It being the duty of the chief deputy sheriff and other deputy sheriffs of Chilton County to enforce state traffic and motor vehicle laws, the court of county commissioners, board of revenue, or other like governing body of said county may, in its discretion, provide for payment of the compensation of the chief deputy sheriff of the county and other deputy sheriffs whose compensation is paid by the county according to law, in whole or in part, from the county public highway and traffic fund.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 6-18-4ch

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union-Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1959.

T. E. WYATT,
Publisher.

Sworn to and subscribed before me August 4, 1959.

JOE G. BURNETT,
Notary Public.

Also:

By Mr. Speaks:
H. 524. To permit any state bank having its principal place of business or a branch place of business or office in Chilton County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit any state bank having its principal place of business or a branch place of business or office in Chilton County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payments of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any state bank having its principal place of business or a branch office or place of business in Chilton County, Alabama, may establish, maintain, and operate within the limits of Chilton County one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and the doing of a general banking business, provided that such bank before the establishment of any such branch, or additional office or place of business, shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 6-18-4ch

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union-Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1959.

T. E. WYATT,
Publisher.

Sworn to and subscribed before me August 4, 1959.

JOE G. BURNETT,
Notary Public.

Also:

By Mr. Self:
H. 545. To require the Board of Revenue of Marion County to publish periodic statements relative to the income and expenditures of the County, and to prescribe the manner of such publication.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To require the Board of Revenue of Marion County to publish periodic statements relative to the income and expenditure of the County and to prescribe the manner of such publications.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Marion County is hereby authorized, directed, and required to publish, or cause to be published, quarterly statements showing the income of the County and expenditure of each district fund and department of the County, and shall specify particularly the names of all persons to whom warrants on the County Treasury were issued and the number of the Warrents, respectively.

Section 2. The publication herein required shall be published one time during each of the months of April, July, October, and January, in a newspaper in Marion County, and the expense thereof shall be paid out of the general fund of Marion County.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t 7-23-30, 8-6-13-59 ch.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Walter Haney, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion County News-Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 23, July 30, August 6, and August 13, all in the year 1959.

WALTER D. HANEY.

Sworn to and subscribed before me August 24, 1959.

G. O. KARR,
Notary Public.

Also:

By Mr. Smith (St. Clair):

H. 559. To amend Act No. 173, H. 490, approved June 30, 1953, (Acts of Alabama 1953, page 217) which creates and establishes the Inferior Court of St. Clair County, so as to provide that fees of officers and State's witnesses in criminal cases docketed in such court in which the State fails to convict, or the cause is otherwise abated, withdrawn or dismissed or an order of nolle prosequi is entered by the State, shall be paid from the Fine and Forfeiture Fund of St. Clair County and such fund reimbursed therefor by the State.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 173, H. 490, approved June 30, 1953, (Acts of Alabama 1953, page 217) which creates and establishes the Inferior Court of St. Clair County, so as to provide that fees of officers and State's witnesses in criminal cases docketed in such court in which the State fails to convict, or the cause is otherwise abated, withdrawn or dismissed or an order of nolle prosequi is entered by the State, shall be paid from the Fine and Forfeiture Fund of St. Clair County and such fund reimbursed therefor by the State.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 173, H. 490, approved June 30, 1953, entitled "An Act To create and establish an inferior court in and for St. Clair County, Alabama; to define and prescribe its jurisdiction, powers, and venue; to provide for the judges and other officers of said court, their powers, duties, tenure and compensation; to prescribe rules of procedure for said court and to provide for the execution of process of said court and the operation thereof, and to provide for the time and place of the holding of said court," (Acts of Alabama 1953, page 217) is hereby amended to read as follows:

"Section 9. That the fees of officers and State's witnesses in all criminal cases docketed in said court wherein the State fails to convict or such cause is otherwise abated, withdrawn, dismissed or an order of noble prosequi is entered by the State shall be borne by the State. However, the judges, clerk, sheriff, and witnesses for the State shall be entitled to and shall receive those fees so due them in such cases out of the Fine and Forfeiture Fund of St. Clair County in the same manner and under the same conditions as now provided by law for the payment of such fees in like cases in the county court; and, unless such fund is otherwise reimbursed by the State the clerk of this court shall reimburse the Fine and Forfeiture Fund of St. Clair County for such fees out of any monies then in his hands or thereafter collected by him for the benefit of the state department, agency or official which would have been entitled to the fine in the case in which the State failed to convict or which was otherwise abated, withdrawn, dismissed or an order of noble prosequi entered, had the State secured a conviction in such case and the defendant been fined."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

NEWS-AEGIS July 9-16-23-30-1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice hav-

ing appeared in the issues of said paper on 7-9, 7-16, 7-23, and 7-30, all in the year 1959.

/s/ E. R. BLAIR.

Sworn to and subscribed before me 8-1, 1959.

/s/ ETHEL BLAIR,
Notary Public.

Also:

By Mr. Smith (St. Clair):

H. 558. Relating to and providing for the reidentification of voters in St. Clair County; directing the board of registrars to purge the lists of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to and providing for the reidentification of voters in St. Clair County; directing the board of registrars to purge the lists of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of St. Clair County is hereby directed to purge all lists of the registered electors of St. Clair County to the end that the names of all who are deceased or non-residents of the county, or who have otherwise become disqualified from voting therein, shall be removed from such lists and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district and precinct in which he resides.

Section 2. The board of registrars of St. Clair County shall omit and remove from the lists of qualified electors of the county the name of every person who fails to reidentify himself in one of the ways hereinafter provided before the first day of October, 1962; provided, however, that no one who has registered as a qualified elector of the county since January 1, 1959, shall be required to reidentify himself. No person removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector, nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote at elections held in the county after the first day of October 1962.

Section 3. A qualified elector may reidentify himself in any one of the following ways:

(a) He may reidentify himself by appearing in person at the office of the board of registrars or the judge of probate of St. Clair County, or before one of the duly authorized employees of the judge of probate, and answering such questions and submitting such proof as may be set forth hereinafter to establish the voter's identity and place of legal

residence and that the voter has not become disqualified from voting in the county.

(b) He may also reidentify himself at any election at which the voter votes prior to October 1, 1962, by answering and signing the questionnaire hereinafter provided for, in the presence of a clerk, manager, inspector, or returning officer at such election, who also shall sign the questionnaire as an attesting witness. The returning officer shall transmit each signed questionnaire to the judge of probate for transmittal to the board of registrars.

(c). A qualified elector who is on active duty in the Armed Forces of the United States or the husband or wife of a member of the Armed Forces on active duty, may also reidentify himself or herself by filling in and mailing to the office of the judge of probate the complete answers to such questions as are set forth in the questionnaire hereinafter detailed, and the electors signature to such questionnaire must be witnessed by a commissioned officer of the Armed Forces.

(d). The board of registrars shall furnish a sufficient number of blank questionnaires to the judge of probate, and also to the sheriff, party executive committee, or other officer, agency, or committee charged with the duty of sending out election supplies, who shall cause a sufficient number thereof to be sent to each voting place at each election to be held prior to October 1, 1962.

(e). The questionnaire shall be in substantially the following form:

VOTERS REIDENTIFICATION QUESTIONNAIRE

St. Clair County, Alabama

Date:_____, 19_____

Name: (First) (Middle) (Last)

Legal Residence Address _____
(Street or Route)

City or Town: _____ State_____

Date of Birth: — Sex — Color —

I now vote and I am a qualified elector in Precinct or Beat No._____, and I have not been disqualified from voting in the county.

I have resided in Precinct or Beat No._____ for the past three months.

Signed: (Signature of Voter)

Witnessed before me this the _____ day of_____, 19___

_____ Registrar - - Judge of Probate - - Election Official - - Commissioned Officer U. S. Armed Forces.

Section 4. Any qualified elector of St. Clair County who shall have his or her name omitted or removed from the lists of qualified electors in the county by reason of his or her failure to reidentify himself or herself as hereinabove provided, or whose name is otherwise purged therefrom, shall be entitled to have his or her name restored to the list of qualified electors by appearing in person and reidentifying himself or herself in person at the office of the board of registrars or judge of probate in the manner hereinabove provided. However, after September 1, 1962, every qualified elector must have reidentified himself or herself at least thirty days prior to voting.

Section 5. Whoever knowing makes a false statement in answer to the reidentification questionnaire to the board or registrars or the judge of probate or the duly authorized employees of the judge of probate or to the clerk, manager, inspector or returning officer or to the commissioned Officer of the United States Armed Forces, is guilty of perjury, and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year or more than five years.

Section 6. The court of county commissioners, board of revenue, or like governing body of St. Clair County, is hereby authorized and directed to furnish the board of registrars and the judge of probate the supplies, equipment, printed forms, stationery, stamps, clerical help and advertisements necessary for the reidentification of voters as herein provided.

Section 7. The board of registrars shall meet as often as necessary and on such dates as the board may by order fix for the purpose of purging the list of qualified electors of the county. The board may meet any number of days not exceeding thirty days per annum, in excess of the maximum now provided by law for the purpose of purging such list, and shall be entitled to the same per diem allowances for meeting on such dates, in excess of the maximum, as now provided by law.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 6-25 & 7-2 9- 16 1959

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-25, 7-2, 7-9, and 7-16, all in the year 1959.

Sworn to and subscribed before me 7-22, 1959.

E. R. BLAIR.

ETHEL BLAIR,
Notary Public.

Also:

By Messrs. Copeland and Hanby:

H. 638. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama that we will introduce in the Legislature of Alabama a bill, the substance of which is as follows: To amend the act of September 15, 1953 (Acts of 1953, page 867), altering and re-arranging the boundary lines of the city of Gadsden, Etowah County, so as to include within the boundaries and corporate limits of the City of Gadsden certain lands described below, to-wit:

The Northeast Quarter (NE¼) of the Southwest Quarter (SW¼), Section Twenty-five (25), Township Eleven (11) South Range Six (6) East of the Huntsville Meridian.

Those portions of Fractions "C" and "D" lying Southwest of the Keeling Bend public road Section Thirteen (13) Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian.

That portion of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) lying Southwest of the Keeling Bend public road, the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼), the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) the West half (W½) of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼), Section Twenty-four (24), Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian.

The North half (N½) of the Northeast Quarter (NE¼), the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼), Section Twenty-three (23), Township Twelve (12) South, Range Six (6) East.

The Southwest Quarter (SW¼) of the Southeast Quarter (SE¼), the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼), and Fraction "A" and "C" Section Fourteen (14), Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian.

The Southwest Quarter (SW¼) of the Northwest Quarter (NW¼), and those portions of the Southwest Fractional Quarter lying North of the Cherokee Indian Boundary Line which lies between said Boundary line, and the South line of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼), Section Fourteen (14), Township Twelve (12) South Range Six (6) East of the Huntsville Meridian.

All that part of Fraction "B", lying North of the Indian Boundary Line in Section Fifteen (15), Township Twelve (12), South, Range Six (6) East of the Huntsville Meridian, lying Southeast of the present city limits.

The Southwest Quarter (SW¼) of the Southwest Quarter (SW¼), Section Twenty-two (22) Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian.

The Northeast Quarter (NE¼) of the Northeast Quarter (NE¼), the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼), Section Twenty-eight (28), Township Twelve (12) South, Range Six (6) East of the Huntsville Medidian.

The South half (S½) of the Southeast Quarter (SE¼), Section Twenty-nine (29), Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian.

That part of the East half (E½) of the Southeast Quarter (SE¼), and that part of the East Half (E½) of the East Half (E½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) lying North of a line Two Hundred Twenty-five (225) feet North of the South line of Section Twenty (20); and the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), all in Section Twenty (20), Township Twelve (12), Range Six (6) East of the Huntsville Meridian.

All of the rearrangement of Clubview Circle Addition according to the map thereof recorded in Plat Book F, Page 231 in the office of the Judge of Probate of Etowah County, Alabama.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ollie Wright, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Adv. Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on Aug. 10, 17, 24, and 31, all in the year 1959.

OLLIE WRIGHT.

Sworn to and subscribed before me Sept. 3, 1959.

WALTER BETZ,
Sec. & Treas.

Also:

By Mr. Phillips:

H. 640. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for precinct five, Choctaw County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for precinct five, Choctaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. After this Act take effect, justices of the peace and notaries ex officio justice of the peace elected or appointed for or in precinct five, Choctaw County, shall be divested and deprived of jurisdiction in criminal cases, and shall have no power or authority to exercise any jurisdiction whatsoever in a criminal case, or to take complaints of offenses committed within the precinct or county, or to issue warrants of arrest.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 4. This Act does not affect penalties that were incurred and proceedings that were begun before its effective date.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Matt L. Blount, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four sucessive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 6, August 13, August 20, and August 27, all in the year 1959.

MATT L. BLOUNT.

Sworn to and subscribed before me August 28, 1959.

JANICE W. BLOUNT,
Notary Public.

My Commission Expires Jan. 21, 1962.

Also:

By Mr. Phillips:

H. 642. Relating to and providing for the reidentification of electors in Choctaw County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to and providing for the reidentification of electors in Choctaw County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Choctaw County is hereby directed to purge all lists of the registered electors of Choctaw County to the end that the names of all who are deceased or non-residents of the county, or who have otherwise become disqualified from voting therein, shall be removed from such lists and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district, precinct and box where he resides.

Section 2. The board of registrars of Choctaw County shall omit and remove from the lists of qualified electors of the county the name of every person who fails to reidentify himself in one of the ways hereinafter provided before the first day of October, 1962. It is provided, however, that no person who has registered as a qualified elector of the county since January 1, 1959, shall be required to reidentify himself. No person removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector, nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county and before being entitled to vote at elections held in the county after the first day of October, 1962.

Section 3. A qualified elector may reidentify himself in any one of the following ways:

(a) He may reidentify himself by appearing in person before any member of the board of registrars and answering such questions and submitting such proof as may be set forth hereinafter to establish the elector's identity and place of legal residence and that the elector has not become disqualified from voting in the county.

(b) He may also reidentify himself at any election at which the elector votes prior to October 1, 1962, by answering and signing the questionnaire hereinafter provided for in the presence of a clerk, manager, inspector, or returning officer at such election, who also shall sign the questionnaire as an attesting witness. The returning officer shall transmit each signed questionnaire to the clerk of the circuit court for transmittal to the board of registrars.

(c) A qualified elector who is on active duty in the Armed Forces of the United States, or the husband or wife of a member of the Armed Forces on active duty, may also reidentify himself or herself by filling in and mailing to the chairman of the board of registrars the completed answers to such questions as are set forth in the questionnaire hereinafter detailed, and the elector's signature to such questionnaire must be witnessed by a commissioned officer of the Armed Forces.

(d) The board of registrars shall furnish a sufficient number of blank questionnaires to the judge of probate, and also to the sheriff,

party executive committee, or other officer, agency, or committee charged with the duty of sending out election supplies, who shall cause a sufficient number thereof to be sent to each voting place at each election to be held prior to October 1, 1962.

(e) The questionnaire shall be in substantially the following form:

VOTERS REIDENTIFICATION
QUESTIONNAIRE

Choctaw County, Alabama

Date, 19.....

.....

Name (first) (mid. or maiden) (last)
Legal Residence Address: (Street or Route)

City or Town

State

Date of Birth Sex..... Color.....

I now vote and I am a qualified elector in Precinct or Beat No..... Box No....., and I have not been convicted of a criminal offense which disqualifies me from voting nor am I otherwise disqualified from voting in Choctaw County.

I have resided in Precinct or Beat No..... for the past three months.

Signed: (Signature of Elector)

Witnessed before me this the.....day of....., 19.....

.....

Registrar — election Official—Commissioned Officer U. S. Armed Forces

Section 4. Any qualified elector of Choctaw County who shall have his or her name omitted or removed from the lists of qualified electors in the county by reason of his or her failure to reidentify himself or herself as hereinabove provided, or whose name is otherwise purged therefrom, shall be entitled to have his or her name restored to the list of qualified electors by appearing in person and reidentifying himself or herself in person before any member of the board of registrars or in the manner hereinabove provided. However, after September 1, 1962, every qualified elector must have reidentified himself or herself at least thirty days prior to voting.

Section 5. Whoever knowingly makes a false statement in answer to the reidentification questionnaire to the board of registrars, or to the clerk, manager, inspector, or returning officer, or to the commissioned officer of the United States Armed Forces, is guilty of perjury, and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

Section 6. The court of county commissioners, board of revenue, or like governing body of Choctaw County, is hereby authorized and directed to furnish the board of registrars the supplies, equipment, printed forms, stationery, stamps, and advertisements necessary for the reidentification of voters as herein provided, and shall also provide for the payment of the compensation of registrars for the additional days they work as provided in Section 7.

Section 7. The board may meet any number of days between October 1, 1962 and April 1, 1963, not exceeding thirty days in excess of

the maximum now provided by law, for the purpose of purging such list, and shall be entitled to the same per diem allowances for meeting on such dates, in excess of the maximum, as now provided by law.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Matt L. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 6, August 13, August 20th, and Aug. 27, all in the year 1959.

MATT L. BLOUNT.

Sworn to and subscribed before me August 28, 1959.

JANICE W. BLOUNT,
Notary Public.

My Commission Expires Jan. 21, 1962

Also:

By Messrs. Bevill and Shumate:

H. 643. To abolish the office of County Solicitor of Walker County, Alabama, and to create in lieu thereof the office of the Solicitor of the County Court of Walker County, Alabama, to provide for the appointment and the election of such officer by the qualified voters of said Walker County, to prescribe his duties, powers and qualifications and to provide for his compensation and the way in which same is to be paid, to fix the term of his office, to provide for the election of his successor in office and to fix the time in which he shall take office and to relate that all general and local laws in conflict with the provisions of this Act are repealed in so far as they relate to said Walker County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

THE STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the office of County Solicitor of Walker County, Alabama, and to create in lieu thereof the office of the Solicitor of the County Court of Walker County, Alabama, to provide for the appointment and the election of such officer by the qualified voters of said Walker County, to prescribe his duties, powers and qualifications and to provide for his compensation and the way in which same is to be paid, to fix the term of his office, to provide for the election of his successor in office and to fix the time in which he shall take office and to relate that all general and local laws in conflict with the provision of this Act are repealed in so far as they relate to said Walker County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the office of County Solicitor of Walker County, Alabama, be and the same is hereby abolished, and the office of the Solicitor of the County Court of Walker County, Alabama, be and the same is hereby created and established in lieu thereof.

Section 2. The Solicitor of the County Court of Walker County, Alabama, shall be elected at the general election to be held in November, 1960, and every four years thereafter. The Solicitor of the County Court shall hold office for a term of four years from the first Monday after the second Tuesday in January, next following his election and until his successor shall have been elected and qualified.

Section 3. The Solicitor of the County Court of Walker County, Alabama, hereby created shall be learned in law and licensed to practice law under the laws of Alabama, and must be a citizen and a qualified elector of Walker County.

Section 4. It shall be the duty of the Solicitor of the County Court of Walker County, Alabama, to represent the state in all criminal and quasi-criminal cases in the County Court of Walker County, Alabama, to prosecute all criminal cases arising from indictments transferred from the County Court of Walker County, Alabama; to represent the State in preliminary proceedings, in felony cases and habeas corpus proceedings brought before the County Court of Walker County; to perform the duties imposed on Deputy Solicitors as provided in Section 256 of Title 13 of the 1940 Code of Alabama; the Solicitor of the County Court is hereby empowered to administer the oath to anyone making complaint and to issue warrants of arrest for the offenses committed in Walker County in violation of Section 90, Title 34 of the 1940 Code of Alabama; and to perform the duties now imposed on Circuit Solicitors and Deputy Solicitors as provided in Article 7 of Chapter 4, Title 13 of the 1940 Code of Alabama; where such offenses occur and duties arise in Walker County, and in the absence of the Circuit Solicitor to represent the State in the Circuit Court of Walker County, and shall have power to issue subpoenas to the witnesses to attend the Grand Jury of Walker County; to reduce the number of State's witnesses in the County Court of Walker County, to be summoned, to not more than two to prove the same fact; to assist the coroner of Walker County, Alabama, in holding inquests and assembling evidence to be presented to the Grand Jury; to represent the State of Alabama in all juvenile matters brought before the County Court; to represent the State and the County in application to the Court of Probate for orders of condemnation of lands in Walker County, Alabama, for public uses of eminent domain, and to give written opinions to, and represent the Board of Finances and Control or like governing bodies of Walker County, in all legal proceedings when requested to so do by such Board of Finances and Control or other governing bodies. It shall be the additional duty of the Solicitor of the County Court of Walker County, Alabama, to repre-

sent the Board of Registrars of Walker County in all acts brought against them by any persons seeking to appeal any decisions of the Board of Registrars.

Section 5. That the salary of the Solicitor of the County Court of Walker County, Alabama, be and the same is hereby fixed the sum of forty-eight hundred dollars ($4800) per annum, which shall be payable out of the county treasury of Walker County, Alabama, in twelve equal monthly installments on the last day of each month upon a warrant drawn upon the treasurer of the county by the chairman of the Board of Finances and Control, or other like governing body of Walker County, Alabama.

Section 6. It is the intention of this Act that the said Solicitor of the County Court of Walker County, Alabama, shall be in lieu of, and shall take the place of the present County Solicitor of said County.

Section 7. The Honorable Joel P. Robinson, Jr., duly elected County Solicitor of Walker County, as that office was constituted prior to the passage of this Act, shall serve as Solicitor of the County Court of Walker County, Alabama, as that office is constituted by this Act until his successor shall be elected and qualified in accordance with Section 2 of this Act.

Section 8. That if any reason any act, provision or clause of this Act shall be held unconstitutional or invalid then that fact shall not destroy the constitutionality of this Act except as to that clause or section.

Section 9. All laws or parts of laws, both local and general, in conflict with the provisions of this Act are hereby repealed so far as relate to Walker County, Alabama.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared William G. Jones, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1959.

WILLIAM G. JONES, JR.

Sworn to and subscribed before me August 18, 1959.

LATHAM G. SADDLER,
Notary Public.

Also:

By Mr. Branyon:

H. 639. Regulating further the insuring of the property of public hospitals in all counties in this State having a population of not less

than 19,200 nor more than 20,200, according to the last or any subsequent federal decennial census.

Also:

By Mr. Ingram:

H. 644. Providing a more efficient system for the administration of the fiscal affairs and government of Clay County; abolishing the Court of County Commissioners of Clay County and creating and establishing in lieu thereof the Board of Commissioners of Clay County; Providing for the organization, powers, jurisdiction, and duties of the Board of Commissioners, and for the qualifications, election, and compensation of its members; and further regulating the county's purchasing procedures and highway operations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLAY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing a more efficient system for the administration of the fiscal affairs and government of Clay County; abolishing the Court of County Commissioners of Clay County and creating and establishing in lieu thereof the Board of Commissioners of Clay County; providing for the organization, powers, jurisdiction, and duties of the Board of Commissioners, and for the qualifications, election, and compensation of its members; and further regulating the county's purchasing procedures and highway operations.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Clay County is abolished, and in lieu thereof there is hereby created and established the Board of Commissioners of Clay County, which shall be composed of the Judge of Probate, as chairman, and four commissioners who shall be elected as hereinafter provided.

Section 2. As chairman of the Board, the Judge of Probate shall exercise all the powers and perform all the duties required of Judges of probate by the general laws of this State as to matters coming before the court of county commissioners, board of revenue, or like county governing body. The judge of probate shall receive an annual salary of one thousand two hundred dollars ($1,200), payable in equal monthly installments from the county treasury, as compensation for the performance of his duties as chairman of the Board.

Section 3. One commissioner shall be elected by the qualified electors of each of the districts into which the county is now divided by law for the purpose of electing members of the county governing body. Each commissioner must be a resident and qualified elector of the district from which he is elected, and shall continue to reside therein during his continuance in office. Commissioners from districts one and three, as such districts are now constituted, shall be elected at

the general election to be held in 1960, and every four years thereafter. Commissioners from districts two and four shall be elected at the general election to be held in 1962, and every four years thereafter. The commissioners shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified. In the event of a vacancy on the Board, the vacancy shall be filled by appointment by the Governor for the unexpired term. The present members of the Court of County Commissioners shall serve as members of the Board of Commissioners until their successors are elected and qualified as provided in this Act.

Section 4. Except as otherwise provided herein, the Board of Commissioners provided for in this Act shall have and exercise all the jurisdiction and powers which are, or hereafter may be, vested in courts of county commissioners or like county governing bodies by the general laws of the State, or vested in the governing body of Clay County by local law; and the members of the Board shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by law for members of courts of county commissioners or like county governing bodies, or for members of the Board of Commissioners of Clay County.

Section 5. Each commissioner shall receive an annual salary of three thousand dollars ($3,000), which shall be his entire compensation for the services required of him by this Act. The salary of eacr commissioner shall be paid in equal monthly installments on warrants drawn on the funds of the county in accordance with the orders of the Board.

Section 6. The Board shall hold regular meetings on the second Monday of each month and may hold special meetings upon the call of the chairman or two commissioners. A majority of the members of the Board shall constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions adopted; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection at reasonable times.

Section 7. Before entering upon the discharge of their duties, the county commissioners shall each execute a bond in the sum of three thousand dollars ($3,000). The bonds shall be payable to Clay County, with good and sufficient surety, and shall be conditioned upon the faithful discharge of their duties of office. The bonds shall be filed and recorded in the office of the Judge of Probate of Clay County, and the premiums thereon shall be paid by the county.

Section 8. Subject to the supervision, regulation, and control of the Board of Commissioners of Clay County, and any rules and regulations which such body may promulgate from time to time in the exercise of its authority under this Act, the Judge of Probate, as chairman of the Board of Commissioners, shall function as purchasing agent for the county. He shall make all purchases or lease rentals of all materials, tools, machinery, motor vehicles, supplies, equipment, and contractual services (which term as used in this Act shall not include contracts for professional or other personal services) for the county.

Section 9. At least three written, sealed, competititve bids shall be obtained on all purchases of supplies, materials, tools, machinery, motor vehicles, equipment, and contractual services when the amount involved is two hundred dollars ($200) or more. If the proposed purchase or

contract involves an amount less than two hundred dollars ($200), the purchase may be made on the basis of sealed bids or in the open market. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than two hundred dollars ($200) for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board located either immediately inside or outside the office of the Probate Judge, in the county courthouse, at least five days before the meeting of the Board at which the purchase is to be made. Such invitations, hereinafter called purchase notices, shall contain sufficient specifications to describe accurately the articles to be purchased as well as the quantity thereof. In addition to such notices, if the amount of the proposed contract is in excess of two hundred ($200), written notice by registered or certified mail, with written reply requested, shall be given to at least three merchants or dealers in the goods or materials to be purchased, or where notice is of a contract to be let, to at least three contractors engaged in the type work contemplated. A copy of such notice or notices, together with the return receipts showing their delivery, must be recorded in and shall become a part of the minutes of the Board of Commissioners.

Section 10. All bids received on proposed purchases or contracts shall be opened publicly at the time and place stated in the purchase notice. The contract or order shall be awarded to the lowest responsible bidder, or all bids may be rejected and the purchase or contract renegotiated when the public interest will be served thereby. It shall be the duty of the chairman of the Board of Commissioners to obtain information from the Division of Purchases and Stores of the State Department of Finance relative to the items to be purchased by competitive bids; and if the State prices are less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be made through the State Purchasing Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award, be open to public inspection. In the event of a sale, trade, or other disposition of any property of the county of any nature or kind the procedure as outlined herein as it relates to the obtaining of written, sealed, competitive bids shall be followed, and such sale, trade, or disposition of the property of the county shall be made in accordance with the most advantageous offer made.

Section 11. In an emergency a purchase may be made without competitive bids and without obtaining information from the Division of Purchases and Stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the chairman of the Board of Commissioners as purchasing agent and filed in his office. An emergency, as the term is used herein, means a situation where needed equipment of the county is idle due to the lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition the road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof. The records of such emergency transactions shall be open to public inspection. The provisions of this Act regarding competitive bidding and obtaining information from the State Purchasing Agent may be waived for purchases of perishable commodities, utility services, machinery repairs, and commodities or services for which there is no competitive situation.

Section 12. In making purchases for the county the purchasing agent shall give preference to commodities produced or sold in Clay County, provided there is no sacrifice or loss in price or quality.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. All laws or parts of laws which conflict with this Act are repealed.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law. 8-13-4t

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLAY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. R. M. Ussery, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Ashland Progress, a newspaper of general circulation published in Clay County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 13, Aug. 20, Aug. 27, and Sep. 3, all in the year 1959.

MRS. R. M. USSERY.

Sworn to and subscribed before me Sept. 4, 1959.

BLANCHE ALEXANDER,
N. P.

Also:

By Messrs. Callahan and Ferguson:

H. 645. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census and to allow the Boards of Revenue or other like governing body of such counties to fix and set aside, by resolution, certain days of the week for the closing of the offices in the court house of such counties.

Also:

By Mr. Smith (St. Clair):

H. 646. Relating to St. Clair County; providing for the election of county commissioners from districts; prescribing the powers and duties of the court of county commissioners of St. Clair County, and the qualifications, term of office, compensation, and manner of election of the members thereof; and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; providing for the election of county commissioners from districts; prescribing the powers and duties of the court of county commissioners of St. Clair County, and the qualifications, term of office, compensation, and manner of election of the members thereof; and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the court of county commissioners of St. Clair County, other than the presiding judge or chairman thereof, shall be elected hereafter as provided in this Act.

Section 2. Such members of the court of county commissioners of St. Clair County shall be chosen by the qualified electors of the four commissioners' districts into which the county is now divided, but each district shall be entitled to nominate and elect only one member of the court. Commissioners from Districts 1 and 4 shall be elected at the general election to be held in 1960, and every four years thereafter. Commissioners from Districts 2 and 3 shall be elected at the general election to be held in 1962, and every four years thereafter. A candidate for county commissioner must be a resident and qualified elector of the district he seeks to represent, and shall continue to reside therein during his continuance in office. Each member of the court of county commissioners of St. Clair County who is elected under the provisions of this Act shall hold office for a term of four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

Section 3. Except as otherwise provided in this Act, the compensation, election, term of office and qualifications of the members, and the powers and duties of the court of county commissioners of St. Clair County shall be the same as presently prescribed by law. Nothing in this Act shall be construed to affect the compensation, election, term of office, qualifications, or powers and duties of the judge of probate of St. Clair County as presiding judge or chairman of the court of county commissioners of the county.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws in conflict with this Act are, to the extent of such conflict, hereby repealed.

Section 6. The substantial provisions of this Act shall become effective only if approved by a majority of the qualified electors of St. Clair County who vote in a referendum hereon, to be held on the date of the first countywide primary, general, or special election to be held in the county after the passage of this Act. The court of county commissioners of St. Clair County shall order and provide for holding the referendum on such date. On the ballots to be used at the referendum the question shall be stated substantially as follows: "Shall the provisions of Act No._____, of the 1959 Regular Session of the Legislature, approved the_____ day of _____, 1959, which provides for the election of the members of the court of county commissioners of St. Clair County by districts, be adopted? Yes () No. ()." If a majority of the votes cast in the referendum are "Yes," all the provisions of this Act shall become effective immediately. If the majority are "No," this Act shall have no further force

or effect, except that the judge of probate of St. Clair County shall certify the results of the referendum to the Secretary of State within 30 days after the determination thereof.

News-Aegis
5-28, 6-4, 11, 18-59

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-28, 6-4, 6-11, and 6-18, all in the year 1959.

E. R. BLAIR.

Sworn to and subscribed before me Sept. 8, 1959.

(SEAL) ETHEL BLAIR,
Notary Public.

Also:

By Mr. Grouby:
H. 647. To provide for and regulate the payment of a portion of the compensation of clerks in the offices of the tax assessor and tax collector of Autauga County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for and regulate the payment of a portion of the compensation of clerks in the offices of the tax assessor and tax collector of Autauga County.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever either the tax assessor or the tax collector of Autauga County employs a clerk, the board of revenue, court of county commissioners, or other like governing body of Autauga County shall pay a portion of the compensation of such clerk. That portion of each clerk's compensation to be paid by the county shall be in an amount of not less than seventy-five dollars ($75.00) nor more than one hundred

dollars ($100.00) per month, the exact amount to be fixed by the county governing body. The compensation provided herein shall be payable to only one clerk in the office of the tax assessor and to only one clerk in the office of the tax collector, and shall be paid out of the general fund of the county on warrants drawn as prescribed by law, upon certification by the tax assessor or tax collector, as the case may be, that such clerk was actually employed.

Section 2. This Act shall become effective on the first day of the first month next following the date of its enactment.

6-A-4c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 6, 1959; August 13, 1959; August 20, 1959; and August 27, all in the year 1959.

MRS. H. M. DOSTER

Sworn to and subscribed before me Sept. 11, 1959.

LESSIE M. KREIS,
Notary Public.

Also:

By Mr. Grouby:

H. 648. To amend Sections 1 and 5 of Act No. 445, H. 858, approved August 23, 1947 (Local Acts of Alabama, 1947, p. 303), entitled "An Act To establish a Court of Common Pleas for Autauga County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of Cases and transactions of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; and to abolish the Civil and Criminal Court of Autauga County, Alabama, and the County Court of Autauga County, Alabama."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 5 of Act No. 445, H. 858, approved August 23, 1947 (Local Acts of Alabama, 1947, P. 303), entitled "An Act To establish a Court of Common Pleas for Autauga County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of Cases and transactions of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; and to abolish the Civil and Criminal Court of Autauga County, Alabama, and the County Court of Autauga County, Alabama."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 445, H. 858, approved August 23, 1947 (Local Acts of Alabama, 1947, P. 303), entitled "An Act To establish a Court of Common Pleas for Autauga County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of Cases and transactions of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; and to abolish the Civil and Criminal Court of Autauga County, Alabama, and the County Court of Autauga County, Alabama," is amended to read as follows:

"Section 1. There is hereby created and established in Autauga County, Alabama, an inferior court to be known as the Court of Common Pleas. The court created herein shall have and exercise civil and criminal jurisdiction as hereinafter provided, but such court shall not be a court of record."

Section 2. Section 5 of said Act No. 445 is amended to read as follows:

"Section 5. The Judge of this Court shall receive a salary not less than two thousand four hundred dollars ($2,400.00) nor more than three thousand and six hundred dollars ($3,600.00) per annum. Said salary shall be determined by the Board of Revenue or Commissioners Court of Autauga County, Alabama, payable in equal monthly installments out of the general fund of Autauga County, Alabama, upon the warrant of the Probate Judge of Autauga County, Alabama, which he is hereby authorized and directed to issue monthly, and which warrants shall be a preferred claim against said general funds."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6A4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 6, August 13, August 20, and August 27, all in the year 1959.

MRS. H. M. DOSTER.

Sworn to and subscribed before me Sept. 11, 1959.

LESSIE M. KREIS,
Notary Public.

Also:

By Mr. Grouby:

H. 649. To fix the compensation of the coroner of Autauga County and provide for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the coroner of Autauga County and provide for the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Autauga County shall receive a salary of not less than twenty-five dollars ($25.00) nor more than fifty dollars ($50.00) per month, the exact amount of which shall be fixed by the board of revenue, court of county commissioners, or other like governing body of Autauga County and paid out of the general fund of the county on warrants drawn as prescribed by law.

Section 2. This Act shall become effective on the first day of the first month next following the date of its enactment.

6A4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 6, August 13, August 20, and August 27, all in the year 1959.

MRS. H. M. DOSTER.

Sworn to and subscribed before me Sept. 11, 1959.

LESSIE M. KREIS,
Notary Public.

Also:

By Mr. Grouby:

H. 650. Fixing the compensation of members of the board of education of Autauga County, and providing for the payment of expenses incurred by the members thereof in attending meetings and transacting business of the board.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Fixing the compensation of members of the board of education of Autauga County, and providing for the payment of expenses incurred by the members thereof in attending meetings and transacting business of the board.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the board of education of Autauga County shall receive from the public school funds of the county the sum of fifteen dollars ($15.00) per day for attendance at meetings of the board, plus actual hotel and travel expenses incurred in attending meetings and transacting business of the board. Members of the board shall not be allowed per diem for more than twenty-four (24) days in any one year. Such compensation and expenses shall be paid in the same manner as provided for the payment of the compensation of teachers.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 6A4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 6, August 13, August 20, and August 27, all in the year 1959.

MRS. H. M. DOSTER.

Sworn to and subscribed before me Sept. 11, 1959.

LESSIE M. KREIS,
Notary Public.

Also:

By Mr. Callahan:

H. 655. To amend Act No. 335 of the 1955 Acts of the Legislature (Vol. II, page 756) approved September 2, 1955, entitled An Act to Fix the Salary of the Stenographic Secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

Also:

By Mr. Ashworth:

H. 567. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF BIBB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the town of Centreville, Bibb County, are hereby altered, re-arranged, and extended so as to include within the corporate limits of the town all that territory embraced by the boundaries described herein, to-wit:

Begin at the Northwest corner of Section 24, Township 23 North, Range 9 East, St. Stephens Meridian, Bibb County, Alabama, which said point of beginning is marked by a concrete slab bearing the inscription " 'S-13; 'S-14; 'S-23; and 'S-24 CL" thence run East along the North boundary of said Section 24 for a distance of 305 feet to a point; thence run North 45 degrees 19 minutes East in Section 13, Township 23 North, Range 9 East, Bibb County, Alabama for a distance of 5313 feet to a point (which said line is 1550 feet Northwest of and parallel to the centerline tangent of Alabama State Highway Number 25 as now located); thence run North 70 degrees 21 minutes East for a distance of 700 feet, more or less, to the Range Line common to Range 9 East and Range 10 East (which said line is 1550 feet Northwest of and parallel to the centerline tangent of said Alabama State Highway Number 25 as now located); thence continue North 70 degrees 21 minutes East for a distance of 1390 feet, more or less, to the East boundary of the West Half of the West Half of Section 18, Township 23 North, Range 10 East (which said line is 1550 feet Northwest of and parallel to the centerline tangent of said Alabama State Highway Number 25 as now located); thence run South 3290 feet with the East boundary of the West Half of the West Half of said Section 18, and parallel to the Range Line common to Ranges 9 East and 10 East to a point (which said point is 1550 feet Southeast

of the centerline tangent of said Alabama State Highway Number 25 as now located); thence run South 70 degrees 21 minutes West for a distance of 350 feet to a point (which said line is 1550 feet Southeast of and parallel to the centerline tangent of said Alabama State Highway Number 25 as now located); thence run South 45 degrees 19 minutes West for a distance of 3194 feet to a point (which said line is 1550 feet Southeast of and parallel to the centerline tangent of said Alabama State Highway Number 25 as now located); thence run South 30 degrees 57 minutes West for a distance of 2202 feet (which said line is 1550 feet Southeast of and parallel to the centerline tangent of said Alabama State Highway Number 25 as now located); thence run South 19 degrees 04 minutes West for a distance of 2285 feet to a point on the North boundary of Section 25, Township 23 North, Range 9 East, Bibb County, Alabama (which said line is 1550 feet Southeast of and parallel to the centerline tangent of Alabama State Highway Number 25 as now located); thence run East 3073 feet with the North boundary of said Section 25 to the Northeast corner of said Section 25; thence continue East with the North boundary of Section 30, Township 23 North, Range 10 East, to the Northeast corner of the Northwest Quarter of said Section 30; thence run South with the East boundary of the Northeast Quarter of the Northwest Quarter of said Section 30 to the Southeast corner thereof; thence run West with the South boundary of the said Northeast Quarter of the Northwest Quarter of said Section 30 for a distance of 660 feet, more or less, to the center of the South boundary of the said Northeast Quarter of the Northwest Quarter of said Section 30; thence run South through the center of the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of said Section 30 for a distance of 1500 feet, more or less to the South margin of the right of way of U. S. Highway Number 82 as now located; thence run Northwesterly with the South boundary of the right of way of said U. S. Highway 82 for a distance of 880 feet, more or less, to the East boundary of the West Half of the West Half of said Section 30; thence run South with the East boundary of the said West Half of the West Half of said Section 30 for a distance of 1500 feet, more or less, to the North boundary of the right of way of U. S. Highway Number 82, Centreville By-Pass Road as now located; thence run Northeasterly with the North margin of the right of way of said U. S. Highway Number 82, Centreville By-Pass Road, as now located, for a distance of 1350 feet, more or less, to the North-South Half Section Line which runs through said Section 30, Township 23 North, Range 10 East; thence run North with said Half Section Line for a distance of 1500 feet, more or less, to a point which is 1550 feet North of the centerline tangent of U. S. Highway Number 82 as now located, bearing South 85 degrees 53 minutes East; thence run South 85 degrees 53 minutes East for a distance of 8000 feet to a point (which said line is 1550 feet North of and parallel to the centerline tangent of U. S. Highway Number 82 as now located) to the East boundary of Section 29, Township 23 North, Range 10 East, Bibb County, Alabama; thence run South 81 degrees 39 minutes east for a distance of 4930 feet, more or less, (which said line is 1550 feet North of and parallel to the centerline tangent of said U. S. Highway Number 82 as now located) to a point on the Northeast boundary of that certain tract of land now owned by and known as the Martin Gay Tract and which said point is 2283 feet North and 960 feet East of the Southeast corner of the Southwest Quarter of Section 28, Township 23 North, Range 10 East, Bibb County, Alabama; thence run South 48 degrees East for a distance of 192 feet to a point, which point is marked by a concrete post; thence run South 03 degrees West for a distance of 860 feet to a point, which point is marked by a hickory tree and concrete post; thence run South 43 degrees West for a dis-

tance of 103 feet to a point on the centerline of an old railroad grade; thence run South 41 degrees 30 minutes West for a distance of 159 feet to a point on said old railroad grade; thence run South 39 degrees 05 minutes West for a distance of 129 feet to a point on said old railroad grade, thence run South 35 degrees 39 minutes West for a distance of 171 feet to a point on said old railroad grade; thence run South 28 degrees 39 minutes West for a distance of 80 feet to a point, which point is marked by a concrete post on the North margin of the right of way of U. S. Highway Number 82 as now located; thence run South 81 degrees 39 minutes East for a distance of 83.4 feet with the North margin of the right of way of said U. S. Highway Number 82 to a point; thence run South 02 degrees 41 minutes East for a distance of 920 feet, more or less, to the South margin of the right of way of the Gulf, Mobile & Ohio Railroad as now located; thence run North 68 degrees 30 minutes West for a distance of 870 feet, more or less, along the cord of the curve of the South margin of the right of way of the said Gulf, Mobile & Ohio Railroad to the North-South Section Line which runs through Section 28, Township 23 North, Range 10 East; thence run South 306 feet to a point, which point is marked by a concrete post and which marks the Quarter Section post common to Sections 28 and 33 in Township 23 North, Range 10 East; thence run West with the North boundary of said section 33 a distance of 1311 feet to the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 33; thence run South with the East boundary of the said Northwest quarter of the Northwest quarter of said Section 33 a distance of 1005 feet, more or less, to a point (which said point is 1550 feet South of the center line tangent of the said Gulf, Mobile & Ohio mainline tracks) Thence run South 88 degrees 50 minutes West for a distance of 12,210 feet, more or less, to a point (and which said line is 1550 feet South of and parallel to the center line tangent of the main line tracks of the said Gulf, Mobile and Ohio Railroad) in the center of the Cahaba River; Thence run Northeasterly with the center of the said Cahaba River for a distance of 1600 feet, more or less to the South boundary of the right of way of the said Gulf, Mobile & Ohio Railroad; thence run South 88 degrees 50 minutes West for a distance of 1226 feet with the South margin of the said Gulf, Mobile & Ohio Railroad right of way to a point; thence run North 06 degrees 52 minutes East for a distance of 413 feet to an axle on the West margin of Locust Street and the South margin of Oak Street in Fair's Addition to the Town of Centreville, Alabama, as shown by a map or plat of said Addition as the same appears of record in the Probate Office of Bibb County, Alabama, in Deed Book 16 Page 250 and Map Book 1 Page 9; thence run North 83 degrees 35 minutes West for a distance of 325.2 feet with the South margin of said Oak Street of said Fair's Addition to a bolt on the West margin of Mill Street of said Fair's Addition; thence run North 06 degrees 04 minutes East for a distance of 359 feet with the West Margin of said Mill Street of said Fair's Addition to a stake by a catch basin; thence run North 08 degrees 04 minutes East for a distance of 349.1 feet to a bolt at the Southwest intersection of that certain Street which leads from Mill Street of said Fair's Addition to the Davidson Plantation Road; thence run North 77 degrees 06 minutes West for a distance of 238.4 feet to a concrete post on the South margin of that certain Street leading to the Davidson Plantation Road; thence run North 59 degrees 06 minutes West for a distance of 265.9 feet with the South margin of said Street leading to Davidson Plantation Road to a point; thence run North 73 degrees 15 minutes West for a distance of 154.2 feet with the South margin of said Street leading to Davidson Plantation Road to a point; thence run North 85 degrees 03 minutes West for a distance of 229.6 feet with the South margin of said Street

leading to Davidson Plantation Road to a point on the West margin of said Davidson Plantation Road; thence run West 1301 feet to a point; thence run North 00 degrees 32 minutes East for a distance of 1197.5 feet to a point on U. S. Highway Number 82 and Alabama State Highway Number 5, as the same are now located, and which said point lies on the East-West Half Section Line through Section 26, Township 23 North, Range 9 East, Bibb County, Alabama, and is 3932 feet West of a steel axle which marks the Quarter Section common to Sections 25 and 26 in Township 23 North, Range 9 East, and is also 18.4 feet North of the centerline of said U. S. Highway Number 82 and said State Highway Number 5; thence run West 579.7 feet with the said Half Section Line to a point on said U. S. Highway Number 82 and said Alabama State Highway Number 5; thence run North 19 degrees 50 minutes West with the East boundary of a tract of land now owned by Leland Pierson a distance of 290 feet to a concrete post by a fence corner; thence run North 72 degrees 17 minutes West a distance of 648.3 feet with the North boundary of the said tract of land owned by Leland Pierson to the West boundary of Section Number 26, Township 23 North, Range 9 East to a concrete post: thence run North 01 degrees 40 minutes East a distance of 630 feet with the West boundary of said Section 26 to a concrete post. Thence run South 77 degrees 17 minutes East with the South boundary of a tract of land now owned by Virgis M. Ashworth a distance of 1330 feet, more or less, to the West boundary of the East half of the Northwest quarter of said section 26: thence run North with the said West boundary of the said East half of the Northwest quarter of said Section 26 a distance of 1840 feet, more or less to the North boundary of said Section 26: thence run East with the North boundary of said section 26 a distance of 415 feet, more or less, to a point (which said point is 100 feet West of the extreme Western corner of the Bibb County Hospital building as now being constructed); thence run North and parallel to the West boundary of Section 23 in Township 23 North, Range 9 East for a distance of 3077 feet to a point: thence run East for a distance of 2800 feet, more or less, to the center of the Cahaba River; thence run in a Northerly direction with the centerline of said Cahaba River for a distance of 2150 feet, more or less, to the North boundary of said Section 23, Township 23 North, Range 9 East; thence run East with the North boundary of said Section 23 for a distance of 1066 feet, more or less, to the Northeast corner of said Section 23, Township 23 North, Range 9 East, and which said point is also the Northwest corner of Section 24, Township 23 North, Range 9 East, and is the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

August 13-4t-chg.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said

notice having appeared in the issues of said paper on August 13, August 20, August 27, and September 3, all in the year 1959.

J. W. OAKLEY, SR.

Sworn to and subscribed before me September 5, 1959.

G. H. STACY,
Judge of Probate.

Also:

By Mr. Ingram:

H. 573. To abolish the office of deputy solicitor for Clay County and to create in lieu thereof the office of county solicitor; to provide for the election, qualifications, and term of the county solicitor, prescribe his powers, authority, and duties, and fix his compensation; and to require the board of revenue, court of county commissioners, or other like governing body of Clay County to furnish the county solicitor with necessary office space, supplies, and equipment.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLAY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the office of deputy solicitor for Clay County and to create in lieu thereof the office of county solicitor; to provide for the election, qualifications, and term of the county solicitor, prescribe his powers, authority, and duties, and fix his compensation; and to require the board of revenue, court of county commissioners, or other like governing body of Clay County to furnish the county solicitor with necessary office space, supplies, and equipment.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of county solicitor for Clay County is hereby created. At the general election to be held in November 1962, and every four years thereafter, a county solicitor for Clay County shall be elected by the qualified electors of the county. The county solicitor shall hold office for a term of four years from the first Monday after the second Tuesday in January next following his election, and until his successor shall have been elected and qualified. As of the first Monday after the second Tuesday in January, 1963, and upon the election and qualification of the first county solicitor, as provided herein, the office of deputy solicitor for Clay County shall be abolished.

Section 2. The county solicitor shall be learned in the law, shall be a resident and qualified elector of Clay County, and shall possess all the qualifications required of deputy solicitors under the general laws of this State. Before entering upon the duties of his office, the county solicitor shall take, and shall file in the office of the judge of probate of Clay County, the oath of office prescribed by the Constitution and Laws of Alabama.

Section 3. The county solicitor shall represent the State in all cases in the County Court of Clay County and shall perform such other duties and have such powers and authority as may be required of, or conferred on, deputy solicitors under the general Laws of this State. For the performance of his duties, the county solicitor shall receive a salary of three thousand dollars ($3,000) per annum, payable in equal monthly installments out of the general fund of Clay County.

Section 4. Nothing contained herein shall be construed to prohibit the county solicitor from practicing law, except that neither the county solicitor, nor any member of any law firm with which he is affiliated, shall represent or defend as attorney any defendant in any criminal case in any court of the State of Alabama or of the United States.

Section 5. The board of revenue, court of county commissioners, or other like governing body of Clay County shall furnish the county solicitor with adequate and suitable office space, and with such equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps, as may be necessary for the proper and efficient discharge of the duties of his office.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 5-28-4t

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLAY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. R. M. Ussery, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Ashland Progress, a newspaper of general circulation published in Clay County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 28, June 4, June 11, and June 18, all in the year 1959.

MRS. R. M. USSERY.

Sworn to and subscribed before me July 7, 1959.

BLANCHE ALEXANDER,
N. P.

Also:

By Mr. Steagall:

H. 574. To permit any bank having its principal place of business in Dale County to establish, maintain, and operate, within the corporate limits of any incorporated municipality in Dale County, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit any bank having an office or place of business in Dale County to establish, maintain, and operate, within the Town of Newton, Dale County, Alabama, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank having an office or place of business in Dale County may establish, maintain, and operate, within the Town of Newton, Dale County, Alabama one or more branches or additional offices or places of business, provided that such bank, before the establishment of any such branch or additional office or place of business, shall first secure the written consent thereto of the superintendent of banks of the State of Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, July 16, July 23, and July 30, all in the year 1959.

JOHN Q. ADAMS.

Sworn to and subscribed before me September 7, 1959.

HENRY B. STEAGALL, II,
Notary Public, State of Ala. at Large.

Also:

By Mr. Steagall:
H. 575. To authorize the court of county commissioners, board of revenue or other like governing body of Dale County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Dale County public highway and traffic fund.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the court of county commissioners, board of revenue or other like governing body of Dale County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Dale County public highway and traffic fund.

Be It Enacted by the Legislature of Alabama:

Section 1. It being the duty of the chief deputy sheriff and any other deputy sheriffs of Dale County to enforce state traffic and motor vehicle laws, the court of county commissioners, board of revenue, or other like governing body of Dale County is hereby authorized to designate the chief deputy and any other deputy sheriffs, whose compensation is paid by the county according to law, as a county traffic control officer. In its discretion the county governing body may provide for the payment of the compensation of the deputy sheriffs so designated as traffic control officers, in whole or in part, from the Dale County public highway and traffic control fund.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1959.

JOHN Q. ADAMS.

Sworn to and subscribed before me September 7, 1959.

HENRY B. STEAGALL II,
Notary Public, State of Ala. at Large.

Also:

By Mr. Steagall:
H. 570. To provide a salary for the coroner of Dale County, and to prescribe the manner of payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide a salary for the coroner of Dale County, and to prescribe the manner of payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Dale County shall be entitled to receive a salary of twenty-five dollars ($25.00) a month, payable out of the general funds in the county treasury in the same manner as the salaries of county employees are paid.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared, John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1959.

JOHN Q. ADAMS.

Sworn to and subscribed before me September 7, 1959.

HENRY B. STEAGALL II,
Notary Public, State of Ala. at Large.

Also:

By Messrs. Hardy, Hain, and Gilmer:

H. 577. To authorize all cities in the State of Alabama having a population exceeding 20,000 and not exceeding 23,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, except that the provisions of this act shall not be applicable to any retirement system heretofore established by local act of the Alabama Legislature, on the basis of an interest rate not in excess of four per centum per annum, and mortality disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or

liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Also:

By Mr. Johnson (Hardaway) and Johnston (Leonard):

H. 579. To repeal the local act approved July 29, 1955, entitled "An Act relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices, (Act No. 171, H. 413, Acts 1955, vol. I, pp. 436-437).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal the local act approved July 29, 1955, entitled "An Act relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices, (Act No. 171, H. 413, Acts 1955, vol. I, pp. 436-437).

Be It Enacted by the Legislature of Alabama:

Section 1. The Act approved July 29, 1955, entitled "An Act relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices, (Act No. 171, H. 413, Acts 1955, vol. I, pp. 436-437, is hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.
6-4-4t

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hal Fisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having ap-

peared in the issues of said paper on June 4, June 11, June 18, and June 25, all in the year 1959.

HAL FISHER.

Sworn to and subscribed before me Sept. 1, 1959.

ELAINE HOLLEY,
Notary Public.

Also:

By Messrs. Johnston (Leonard) and Johnson (Hardaway):

H. 580. To amend Sections 1 and 3 of the act approved May 26, 1955, regulating the taking of fish from public streams and impounded waters in Elmore and Tallapoosa counties (Act No. 17, H. 93, Acts of Alabama 1955, Vol. I, pp. 229-231); prohibiting fishing with baskets and nets in the Coosa River or in the impounded waters thereof inside the boundaries of Elmore County, and making further provisions for the use of revenues derived from the sale of licenses in Elmore County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 3 of the act approved May 26, 1955, regulating the taking of fish from public streams and impounded waters in Elmore and Tallapoosa counties (Act No. 17, H. 93, Acts of Alabama 1955, Vol. I, pp. 229-231); prohibiting fishing with baskets and nets in the Coosa River or in the impounded waters thereof inside the boundaries of Elmore County, and making further provisions for the use of revenues derived from the sale of licenses in Elmore County.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 3 of the act approved May 26, 1955, regulating the taking of fish from public streams and impounded waters in Elmore and Tallapoosa counties (Act No. 17, H. 93, Acts of Alabama 1955, Vol. I, pp. 229-231) are hereby amended to read as follows:

"Section 1. Any person duly licensed as provided in this Act may take, capture, and kill catfish from the public streams and impounded waters of Tallapoosa and Elmore counties for his domestic use of consumption by the use of baskets or nets, including wire mesh baskets having a mesh of one inch or more; provided, that no person shall be licensed to fish with more than four such baskets or nets; and provided further, that no person shall be licensed, permitted, or allowed to fish with such baskets or nets in the Coosa River or in the impounded waters thereof inside the boundaries of Elmore County. Whoever sets, or fishes with such baskets or nets in the Coosa River or the impounded waters thereof within Elmore County is guilty of a misdemeanor and upon conviction shall be punished as prescribed by law.

"Section 3. All revenues derived from the sale of licenses as provided in this Act in Tallapoosa County shall be used by the county under the direction of the state department of conservation solely for stocking the streams and impounded waters in the county with game fish, or for the feeding and cultivation of game fish. All revenues heretofore accumulated or hereafter derived from the sale of licenses as provided in this Act in Elmore County shall be used for conservation purposes or for acquatic recreation purposes as may be deemed proper by the state department of conservation and the commissioners court of Elmore County, under the direction of the state department of conservation and the commissioners court of Elmore County. Provided, the probate judge of each county may retain five percent of all revenues collected under this Act for issuing such licenses and collecting such taxes."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hal Fisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1959.

HAL FISHER.

Sworn to and subscribed before me July 22, 1959.

ELAINE HOLLEY,
Notary Public.

Also:

By Mr. Rozelle:

H. 581. To alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this Act the boundary lines of the City of Brewton, Escambia County, Alabama be and the same are altered and re-arranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory described as follows:

All of the East Half of the Southeast Quarter of the Northwest Quarter (E½ of SE¼ of NW¼) that lies East of Garrett Farm Road; and all of the East Half of the Northeast Quarter of the Southwest Quarter (E½ of NE¼ of SW¼) that lies North and East of Garrett Farm Road; all in Section Thirty-one (31), Township Two (2) North of Range Ten (10) East, in Escambia County, Alabama.

Section 2. That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the The Brewton Standard, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 11, June 18, June 25, and July 2, all in the year 1959.

TOM GARDNER.

Sworn to and subscribed before me July 2, 1959.

AMY B. CORPERING,
Notary Public.

My Com. Exp. 10-28-1962

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 513, 518, 519, 525, 526, 530, 531, 538, 541, 542, 543, 544, 556, 557, 523, 524, 545, 559, 558, 638, 640, 642, 643, 639, 644, 645, 646, 647, 648, 649, 650, 655, 567, 573, 574, 575, 576, 577, 579, 580 and 581 — to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 25. Relating to the public schools of Lowndes County; authorizing the county board of education to impose and provide for the collection of tuition charges or fees for the attendance of pupils at such schools.

Also:

S. 226. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same set forthwith to the Senate without engrossment:

By Mr. Rozelle:

H. 582. To vacate and annul the dedication to public use, prescribed in a deed to the City of Brewton from John R. Downing, as trustee for R. M. Jernigan, John R. Downing, and Thomas E. McMillan, then owners of Lincoln Park Subdivision, in the City of Brewton, to that certain parcel or tract of land hereinafter described by metes and bounds which is a part of that tract, lot or parcel of land designated as "Park" on the map of such subdivision on record in Map Book 3, at page 31 in the probate records of Escambia County, and more particularly described in the above mentioned deed, recorded in Deed Book 96 at page 562, probate records of Escambia County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
ESCAMBIA COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To vacate and annul the dedication to public use, prescribed in a deed to the City of Brewton from John R. Downing, as trustee for R. M. Jernigan, John R. Downing, and Thomas E. McMillan, then owners of Lincoln Park Subdivision, in the City of Brewton, to that certain parcel or tract of land hereinafter described by metes and bounds which is a part of that tract, lot or parcel of land designated as "Park" on the map of such subdivision on record in Map Book 3, at page 31 in the probate records of Escambia County, and more particularly described in the above mentioned deed, recorded in Deed Book 96 at page 562, probate records of Escambia County.

Be It Enacted by the Legislature of Alabama:

Section 1. The dedication of that part of that certain lot, parcel, or tract of land in Lincoln Park Subdivision in the City of Brewton, which is hereinbelow particularly described, to the public use prescribed therefor in warranty deed from John R. Downing, as trustee, for R. M. Jernigan, John R. Downing and Thomas E. McMillan then owners thereof to the City of Brewton on March 22, 1946, recorded in Deed Book 96, page 562, probate records of Escambia County, is hereby vacated and annulled. Said land is a part of the land designated on the map of plat of said Lincoln Park Subdivision, which is recorded in Map Book 3, at page 31, in the probate records of Escambia County, as "Park" and was conveyed to the City of Brewton by said warranty deed, and is described by metes and bounds as follows:

Commencing at the Southwest corner of the North Half of the South Half of the Southwest Quarter of the Northeast Quarter (SW cor. of N½ of S½ of SW¼ of NE¼) of Section Twenty-one (21), Township Two (2) North of Range Ten (10) East, thence run east 25 feet to a point on the East line of Sowell Farm Road to make or form a starting point, thence run East 312 feet to a point on the center of a branch, thence run in a Northerly direction along the center of said branch 671 feet to a point on the South line of Liles Boulevard; thence run West along the South line of said Liles Boulevard 209 feet to a point on the East line of Sowell Farm Road, thence South along East line of said Sowell Farm Road 660 feet to the starting point.

The said public use of such land is hereby discontinued and abolished; and the right of the public to use the same is hereby extinguished.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher, of The Brewton Standard, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 11, June 18, June 25, and July 2, all in the year 1959.

TOM GARDNER.

Sworn to and subscribed before July 2, 1959.

AMY B. CORPERING,
Notary Public

My Com. Exp. 10-28-1962.

Also:

By Messrs. Copeland and Hanby:

H. 588. To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden, Alabama; to provide for the composition of said board; to provide for a secretary-treasurer of said board; to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
ETOWAH COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the regular session or a special session of the Legislature of Alabama held during the year 1959, and application for its passage and enactment will be made.

RAY WYATT,
E. K. HANBY,
BUFORD L. COPELAND

A BILL
TO BE ENTITLED
AN ACT

To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden, Alabama; to provide for the composition of said board; to provide for a secretary-treasurer of said board; to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

Be It Enacted by the Legislature of Alabama:

Section 1: There is hereby created in connection with the regularly organized and paid police department and fire department of the City of Gadsden, Alabama, A BOARD OF TRUSTEES OF THE POLICEMEN AND FIREMEN'S RETIREMENT FUND by which name the said board shall be known and called to be constituted and selected as hereinafter provided and directed; and in the City of Gadsden, Alabama there is hereby created a policemen and firemen's retirement fund, for the benefit of the persons hereinafter named, to be derived and raised in the manner hereinafter provided.

Section 2: The said board of trustees of the policemen and firemen's retirement fund shall be composed of five members consisting of the Commissioner of the City Governing Body who has supervision over the police and fire departments, who shall be Chairman of said board of trustees; the Chief of such police department and the Chief of such fire

department; one first-class patrolman of the police department to be elected for a four-year term within thirty (30) days after the enactment of this Act by a simple majority vote of the police department; and one first-class fireman to be elected for a four-year term within thirty (30) days after the enactment of this Act by a simple majority vote of the fire department; all of whom shall serve without compensation. In the event of a vacancy in either of the latter two positions, the successor or successors shall be elected in the same manner within thirty (30) days after the occurrence of such vacancy.

Section 3: Said board of trustees, with the approval of the governing body of such city, shall have the power and authority to appoint a secretary-treasurer of said board who shall serve at the pleasure of said board and who shall receive as compensation for his services the sum of $25.00 twenty-five dollars per month or such other amouns of compensation as said board of trustees shall provide by majority vote and approved by the governing body of such city and to be paid on the first day of each month by warrant drawn in like manner as other warrants on such fund. Said secretary-treasurer of said board of trustees is hereby made, and it shall be his duty to be the custodian of all moneys belonging to the policemen and firemen's fund, and all moneys belonging to any similar fund now or hereinafter maintained in such cities shall be promptly paid to him. The said secretary-treasurer shall also be custodian of all securities and things of value belonging to such fund. Said secretary-treasurer shall before taking office, make bond in a sum to be fixed from time to time by resolutions of the governing body of any such city, to be approved by the chairman of said board of trustees, in a surety company authorized to do business in Alabama for the faithful performance of the duties imposed upon him under this subdivision, and for the faithful accounting of all moneys, securities, and things of value which may come into his hands, as such treasurer of such fund, and he shall keep a separate account thereof, which shall at all times show the true condition of such fund. Upon the resignation or removal from office of such secretary-treasurer he shall surrender and deliver up to his successor all bonds, securities, and all unexpended moneys or other properties which may have come into his hands as treasurer of such fund. It shall be the duty of the secretary-treasurer of said board to keep, in a book provided for that purpose, a full and complete record of all proceedings of the board of trustees, and he shall perform such other duties as may be assigned to him by the board of trustees.

Section 4: The said board of trustees of the policemen and firemen's retirement fund is hereby declared to be the trustee of said policemen and firemen's retirement fund and shall have the exclusive management and control thereof, and all matters legitimately connected therewith. Said board of trustees shall have the power to recommend such rules and regulations as may be necessary to enable it to effectively and properly carry into execution the purpose for which it was organized and created, and to enable it to properly manage and conduct the business and affairs entrusted to it, provided such rules and regulations shall in no way contravene the provisions of this Act; and provided further that such rules and regulations so recommended shall not become effective until written notice of such recommendations is posted in a conspicious place in the police department and fire department, and after ten (10) days notice thereof, an election is held in each of said departments in which election a simple majority of the contributing members in each of said departments, by secret ballot, vote in favor of such recommendations. The board of trustees shall hear and decide all applications for pensions or relief under this Act and its decisions shall be final except for an appeal as hereinafter provided.

The said board of trustees shall meet whenever the chairman thereof shall call a meeting of such board.

Section 5: The policemen's and firemen's retirement fund shall consist of the following, namely: (a) All of the money, securities, and things of value belonging to any similar fund that may now or hereafter be maintained in the City of Gadsden: (b) all moneys or properties that may be given or donated to said fund by any persons, firms, association, or corporation for the uses and purposes for which said fund is created; and said board may take, by gift, grant, devise, or bequest, any money, personal property, real estate, or any interest therein, or any right of property, for the benefit of said fund; (c) four per cent of the monthly salaries of each member of such police and fire departments, which shall be paid by the city clerk to the secretary-treasurer of said board of trustees on the first day of each month; and said four per cent of such salaries shall be deducted from said salaries paid such members; (d) all reward money paid to any member of such police and fire departments, which shall be paid by the recipients of the same into said retirement fund promptly upon receipts of the same; (e) all civil or criminal witness fees received by any member of the police and fire departments for attendance at or before any court or grand jury in Etowah County are located shall be paid into said retirement fund promptly upon the receipt of such fees by the recipients of the same; (f) the governing body of the city shall cause to be paid said policemen's and firemen's retirement fund, out of the treasury of such city, an amount equal to eight per cent of the salary of each member of such police and fire departments who contributes to said fund, and such payment shall be made as and when such salary becomes payable and deduction therefrom is made as provided in this section; (g) the city clerk shall cover into said fund all seizure fees collected by the city in cases involving violation of the prohibition laws since the 1st day of February, 1946, and all such fees hereafter collected by the city.

Existing funds and property belonging to or part of any existing similar funds now or hereafter governed by the provisions of this Act, shall be held and administered, used and governed, and transferred and covered into the policemen's and firemen's retirement fund as provided herein, immediately upon this law, becoming effective.

Section 6: The board of trustees of the policemen and firemen's retirement fund may, at any time, with the approval of the governing body of the City of Gadsden, after considering the probable demands upon such fund in the near future, determine what portion of such fund may be safely withdrawn for investment for revenue purposes, and having determined what portion thereof shall be so withdrawn for that purpose, said board of trustees shall then determine in what manner such investment shall be made, and all proceedings of said board of trustees relating thereto shall be entered at length upon its records. Such investment shall only be by purchase of the interest bearing bonds of the United States of America, or in any bond, stock, security, investment, or deposit which is guaranteed by the United States Government or any of its instrumentalities. All income from such investments shall be and become a part of said policemen and firemen's retirement fund. All such securities shall be deposited with the secretary-treasurer of said board of trustees, and shall be subject to the management and control of said board of trustees of the policemen and firemen's retirement fund.

Section 7. The said board of trustees shall make a monthly report to the Board of Commissioners to the City of Gadsden concerning the condition of such policemen and firemen's retirement fund. The said

board of trustees shall post in a conspicious place in each police station and each fire station in the City of Gadsden a statement itemizing all receipts, disbursements, expenditures and pensions paid by said board for the preceding six (6) months period, stating in detail the source of such receipts, and to whom all such expenditures, disbursements and pension payments were made, together with the amount of each. All such records shall be available to any of said contributing members at any time upon request.

Section 8. All moneys ordered to be paid from such policemen and firemen's retirement fund shall be paid by the secretary-treasurer of such fund only upon warrants signed by the chairman of such board of trustees and countersigned by one associate member of such board of trustees and by the secretary-treasurer; and no warrant shall be drawn on such fund except by order of the said board of trustees, which shall be duly and regularly entered in the record of the proceedings of the said board of trustees. Any moneys wrongfully paid from such fund shall be charged against the members of said board of trustees.

Section 9. No portion of the said policemen and firemen's retirement fund shall, before or after its order for distribution by the said board of trustees to the person or persons entitled thereto under the provisions of this subdivision, be held, seized, taken, subjected to, detained, or levied upon, by virtue of any attachment, garnishment, execution, injunction, writ, order, decree, or any other process whatsoever, issued out of or by any court of this state, for the payment or satisfaction, in whole or in part, of any debt, damage, demand, claim, judgment or decree, against any beneficiary of such fund, but shall be exempt therefrom. Said fund shall be sacredly kept, held and distributed for the purposes named in this subdivision, and for no other purpose whatsoever.

Section 10: If at any time there shall not be sufficient money in such policemen and firemen's retirement fund to pay such person entitled to the benefit thereof the full amount per month as herein provided, then an equal percentage of such monthly payment or payments shall be made to each beneficiary until the said fund shall be replenished to warrant the payment in full to each of the said beneficiaries.

Section 11. Any member of such police or fire department who has been in continuous service thereof for as long as twenty years, upon making written application to the board of trustees therefor, shall, without medical examination or disability, be retired from service in such department, and, upon such retirement, the board of trustees shall direct the payment to such retired member, monthly, from such fund, the amount hereinafter provided for his particular position, office, salary, or class of work.

Section 12. Said board of trustees shall have the power and authority and it is hereby made mandatory that it shall retire from service in the police or fire departments any member thereof upon attaining the age of sixty-five years without regard to the length of service of such member; and upon such retirement, the said board of trustees shall direct the payment to such retired member, monthly, from such fund, the amount hereinafter provided for his particular position, office, salary, or class of work.

Section 13. Except as otherwise provided in this subdivision, each member who has been or who hereafter is retired shall receive a retirement benefit equal to fifty per centum of the current salary being paid to persons holding the same rank as such retired member held at the time of his retirement.

Section 14. If any member of such police or fire department becomes or be found to be physically or mentally permanently disabled for service in such police or fire department so as to render his retirement from such service necessary, said board of trustees shall retire such disabled member from service in such department and upon such retirement, said board of trustees shall order the payment of such disabled member, monthly, from such fund, the amount hereinafter provided for his particular position, office, salary, or class of work.

Section 15: After any member of such police or fire department shall have retired upon pension by reason of disability, the said board of trustees shall have the right, at any time, to cause such retired member to be brought before it and examined by the city physician or other competent physicians or surgeons, to be selected by it, and also to examine other witnesses for the purpose of discovering whether such disability yet continues, and whether such retired member should be continued on the pension roll, but such retired member shall remain upon the pension roll until reinstated in the active service of such police or fire department. Such retired member shall be entitled to notice, and to be present at the hearing of any such evidence, shall be permitted to propound any questions pertinent or relavant to such matter, and shall also have the right to introduce upon his own behalf any competent evidence he may see fit. All witnesses so produced shall be examined under oath; and any member of such board of trustees is hereby authorized and empowered to administer such oath to such witnesses.

Section 16: If any active member of such police or fire department, or any member of such department on official leave of absence from such department and in the armed forces of the United States, shall die from any cause, whatever, leaving a widow, said board shall direct the payment from said fund, to said widow, a sum equal to fifty per cent of the amount specified in this Act to be paid to a retired fireman or policeman of the same rank as such deceased member at the time of his death, said monthly payments to continue to such widow during her natural life and while unmarried. Should such deceased member leave no surviving widow, but leave surviving him a child or children under sixteen years of age, the board of trustees shall direct the payment monthly from such fund, until such child or children shall have attained the age of sixteen years, a sum equal to fifty per cent of the amount specified in this Act to be paid to a retired fireman or policeman of the same rank as such deceased member at the time of his death, to the person having control and custody of such child or children or to such other person as the board of trustees shall direct, said sum to be expended by such person for the benefit of such child or children as may be prescribed by the board of trustees. Should such deceased fireman or policeman leave no widow or child, but a widowed mother entirely dependent upon him for support, the board of trustees shall pay to her monthly, during her natural life, so long as she remains unmarried, a sum equal to fifty per cent of the amount specified in this Act to be paid to a retired fireman or policeman of the same rank as such deceased member at the time of his death.

Section 17. If any retired member of such police or fire department shall die from any cause, leaving a widow, said board shall direct the continuation, from the date of such death of fifty per cent of the monthly retirement payments of such deceased retired member, to be paid to such widow of such deceased retired member during her natural life and while unmarried. Should such deceased retired member leave no widow surviving him, but leaving surviving him a child or children under sixteen years of age, the board of trustees shall direct the payment monthly

from such fund, until such child or children shall have attained the age of sixteen years, a sum equal to fifty per cent of the monthly retirement payments of such deceased retired member to the person having control and custody of such child or children or to some other person as the board of trustees shall direct, said sum to be expended by such person for the benefit of such child or children as may be prescribed by the board of trustees. Should such deceased retired fireman or policeman leave no widow or child, but a widowed mother, entirely dependent upon him for support, the board of trustees shall pay to her monthly, during her natural life, so long as she remains unmarried, a sum equal to fifty per cent of the monthly retirement payments of such deceased retired member.

Section 18. When the widow, or children, or widowed mother of an active or retired member of the police or fire departments shall be entitled to benefits under this subdivision, such widow, or children, or widowed mother shall make or cause to be made an application to the board of trustees through the secretary treasurer of such board which shall show, in the case of the widow, proof of the marriage of the deceased to the claimant, by marriage certificate or other competent evidence; and proof of the widowhood of the mother of such deceased member, and her dependency for support upon him, shall be shown by affidavits of such widowed mother or disinterested persons; and the ages of such children shall be shown by birth certificate or other competent evidence. All such applications and proofs shall be kept and retained in the custody of the said board of trustees.

Section 19: If any member of the police and fire departments is discharged from or for any reason leaves the employment of such police or fire department before he becomes entitled to any of the benefits provided for in this subdivision, he shall forfeit all right to such benefits and to any moneys that may have been paid into said fund by or for him.

Section 20. No member of said police department or fire department, who is not now contributing to said retirement fund, shall be entitled to participate in said retirement fund, or required to make contributions thereto, unless at the time he qualifies therefor he may be not less than twenty-one (21) years of age and not more than thirty-five (35) years of age, established by an examination of him by a duly licensed and practicing physician that he is physically and mentally sound, and establish by examination of duly licensed and qualified specialists that his vision, hearing and heart are in good physical condition.

Section 21: The term "member of such police department shall include Chief of Police, Assistant chiefs of police, chief of detectives, Captain of police, Lieutenants of Police, Sgt. of police, Identification officers, Superintendent of identification, Lieutenant of detectives, patrolmans and any full time, regularly employed and compensated, bonded and sworn peace officer under the direct supervision of the chief of police of the City of Gadsden, Alabama. The term member of such fire department shall include the following in said department; Chief, Assistant Chiefs, Captains, Lieutenants, Mechanics, Drivers, Firemen, Fire Marshall or Fire Inspector, Drill Master or Instructor, Division of Battalion chiefs, Superintendent of Fire Alarm Systems, and any full time regularly employed and compensated, officer or employee engaged in fire fighting under the direct supervision of the chief of said fire department. No other officer, employee or person shall be eligible to participate in said retirement fund, notwithstanding the provisions of any Civil Service Law, State Statute, City Ordinance or rules and regulations of said board.

Section 22: There shall be kept by the secretary-treasurer of the board of trustees a book to be known as the list of retired policemen or firemen. Such book shall also give a full and complete history and record of the action of the said board of trustees in retiring any and all persons under this subdivision, showing the names, date of entering the service of such police or fire department, date of retirement and the reason for such retirement, if any.

Section 23: It shall be the duty of the city attorney or such assistant city attorney as may be designated by the Board of Commissioners of the City of Gadsden to give advice to the said board of trustees in all matters pertaining to the duties of the said board of trustees and the management of such fund, whenever requested to do so, and he shall represent and defend the said board of trustees as its attorney in all suits and actions at law or in equity that may be brought against it, and in all suits and actions in its behalf that may be required or determined upon by said board of trustees. Such city attorney shall serve as such attorney of the board of trustees without compensation additional to the salary paid him as such city attorney.

Section 24: Said board of trustees shall be authorized to pay out of such fund all reasonable and necessary expenses including cost of bond herein provided for that may be incurred by it in and about the management and administration of such fund; provided that in no event shall the members of said board of trustees receive any salary or compensation for their services out of said fund.

Section 25. Within ten (10) days after any final decision of the board of trustees, any party including the governing body of such city feeling aggrieved at the decision of the board of trustees may appeal from any such decision to the circuit court of the county in which such city is located and such appeal shall be heard by a judge sitting without a jury. Upon the filing of any such appeal, notice thereof shall be served upon any member of the board of trustees by the appellant. Such appeal shall be heard by the court at the earliest possible date, and it shall not be necessary on any such appeal to enter exceptions to the rulings of the board of trustees and no bond shall be required for such an appeal and such an appeal shall be effected by filing a notice and request therefor by the appellant with the clerk of said court. An appeal may be taken from any decision of such court to the court of appeals of Alabama or the supreme court of Alabama as now provided by law.

Section 26. The provisions of this Act shall supercede all existing provisions of Law relating to the policemen and firemen's retirement fund of the City of Gadsden and any such fund existing at the time of the passage of this Act is hereby transferred to and made a part of the retirement fund created in this Act. All other laws, or parts of laws, in conflict herewith are hereby expressly repealed.

Section 27: This Act shall take effect upon its passage and approval by the Governor or its otherwise becoming a law.
July 4, 11, 18, 25.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arline Sprayberry, who, being by me first duly sworn, deposes and says that during the times herein

mentioned she was Adv. Bookkeeper of the The Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1959.

ARLINE SPRAYBERRY.

Sworn to and subscribed before me July 27, 1959.

WALTER BETZ,
Notary Public.

Also:

By Mr. Martin:

H. 589. To amend Sections 3 and 4 of an act approved June 29, 1951, providing for the construction and maintenance of the roads and bridges in Greene County on a county-unit basis (Act No. 149, H. 441, Acts 1951, p. 383), in relation to the compensation of the chairman and members of the court of county commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 3 and 4 of an act approved June 29, 1951, providing for the construction and maintenance of the roads and bridges in Greene County on a county-unit basis (Act No. 149, H. 441, Acts 1951, p. 383), in relation to the compensation of the chairman and members of the court of county commissioners.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 3 and 4 of an act approved June 29, 1951 providing for the construction and maintenance of roads and bridges in Greene County on a county-units basis (Act No. 149, H. 441, Acts 1951, p. 383)are hereby amended to read as follows:

"Section 3. The chairman of the Court of County Commissioners shall be the purchasing agent for the county and shall receive a salary of two hundred dollars per month for the performance of his duties as chairman and as county purchasing agent.

"Section 4. Each of the four associate members of the Court of County Commissioners shall receive a salary of two hundred dollars per month for the performance of his duties. Such salary shall be in lieu of all other compensation, mileage allowance, fees or other allowances for the performance of their duties."

'Section 2. This act shall take effect at the expiration of the terms of the incumbent officers affected, as provided in the Constitution.

8-6-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn deposes and says that during the times herein mentioned he was Editor of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 8, Aug. 13, Aug. 20, and Aug. 27, all in the year 1959.

RICHARD K. MARTIN.

Sworn to and subscribed before me September 4, 1959.

CAROLYN S. PALMER,
Notary Public.

Also:

By Mr. Martin:
H. 590. To fix the compensation of the deputy solicitor of Greene County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

The fix the compensation of the deputy solicitor of Greene County.

Be It Enacted by the Legislature of Alabama:

Section 1. The compensation of the deputy solictior appointed for Greene County shall be an annual salary of two thousand four hundred dollars ($2,400), and shall be payable in equal monthly installments from the country treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall take effect on the first day of the month next following the date of its enactment. 7-30-4tc

STATE OF ALABAMA
COUNTY OF GREENE

Personally appeared before the undersigned, a Notary Public in and for said County and State Richard K. Martin, who deposes and says on oath that he is Editor-Publisher of the Greene County Democrat, that said Greene County Democrat is printed in the English language, is printed and published in Greene County, Alabama, in the City of Eutaw, has a general circulation in Greene County, Alabama, and is mailed under the second class mail privilege from Eutaw, Alabama, post office. Said Greene County Democrat was published for more than fifty-two consecutive weeks prior to, and continuously throughout the publication dates of the attached advertisement, which was published for four consecutive weeks in the said Greene County Democrat on the following dates: July 30, August 6, August 13, August 20, 1959.

RICHARD K. MARTIN,
Editor-Publisher, the Greene County Democrat.

Sworn to and subscribed before me this 5 day of September, 1959.

CAROLYN S. PALMER,
Notary Public.

Also:

By Mr. Adams (Houston):
H. 593. To alter, re-arrange and extend the boundaries of the Town of Kinsey in Houston County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries of the Town of Kinsey in Houston County.

Be It Enacted by the Legislature of Alabama:

SECTION 1

The boundaries of the Town of Kinsey, in Houston County, are hereby altered, re-arranged and extended so as to embrace within the Corporate limits of said Municipality an area of 4 square miles as follows:

Commencing at a point on the Houston & Henry County line at the NW corner of Section 20, Township 4N, Range 27E, and running thence in a Southerly direction along the West line of Section 20 and 29 of

Township 4N, Range 27 E to a point on the SW corner of said Section 29; thence running in an Easterly direction along the South line of Section 29 and 28 of Township 4N, Range 27E to a point on the Southeast corner of said Section 28; thence running in a Northerly direction along the East line of Sections 28 and 21 of Township 4N, Range 27E to the NE corner of said Section 21 and the Henry County line; thence running in a westerly direction along the North line of Sections 21 and 20 of Township 4N, Range 27E to the Starting point:

SECTION II

This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE TOWN OF KINSEY, ALABAMA

BY J. W. RICH
Mayor

A. J. PARKER
C. W. JARVIS

BERNARD T. YORK
J. D. FLETCHER
J. E. COBIE
Councilmen

July 20, 27, August 3, 10, 1959

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: July 20, 27, 1959 & August 3, 10, 1959 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 10th day of August, 1959.

B. WALLACE MILLER,
Notary Public.

Also:

By Messrs. Turnham and Torbert:

H. 597. To authorize the court of county commissioners or like governing body of Lee County to levy a privilege or license tax on persons, corporations,, co-partnerships, companies, agencies, and associations selling, distributing, or delivering any malt or brewed beverages to retailers in Lee County; to authorize the court of county commissioners or like governing body of Lee County to collect the tax and to distribute among the incorporated municipalities within the county their pro rata share of the proceeds; to authorize the court of county commissioners to make rules and regulations to govern enforcement and collection of the tax; and to provide for the use of the proceeds derived from the tax.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the court of county commissioners or like governing body of Lee County to levy a privilege or license tax on persons, corporations, co-partnerships, companies, agencies and associations selling, distributing, or delivering any malt or brewed beverages to retailers in Lee County; to authorize the court of county commissioners or like governing body of Lee County to collect the tax and to distribute among the incorporated municipalities within the county their pro rata share of the proceeds; to authorize the court of county commissioners to make rules and regulations to govern enforcement and collection of the tax; and to provide for the use of the proceeds derived from the tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners or like governing body of Lee County may levy a privilege or license tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, distributing, or delivering to retailers in Lee County any malt or brewed beverages, (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume), which tax shall be in an amount equal to not more than two cents on quantities of twelve fluid ounces or less, three cents on quantities of more than twelve but not exceeding sixteen fluid ounces, and four cents on quantities of more than sixteen but not exceeding twenty-four fluid ounces; and two cents on each twelve fluid ounces or fractional part thereof in excess of twenty-four fluid ounces of malt or brewed beverages sold, delivered or distributed to retailers located in the county. The privilege or license tax herein authorized shall be in addition to all other taxes and licenses now or hereafter authorized or imposed by law.

Section 2. The privilege or license tax authorized by this act shall be collected by, or under the supervision of, the court of county commissioners or like governing body of Lee County, and the court of county commissioners or like governing body shall apportion and distribute the proceeds of the tax among the county and each incorporated city or town within or extending into the county, so that the portion of the proceeds collected within the corporate limits or police jurisdiction of each incorporated city or town within or extending into the county shall be paid over to such city or town and the portion of the proceeds collected in the county outside the corporate limits and police jurisdictions of incorporated cities or towns within or extending into Lee County shall be retained by the county. The portion of the proceeds paid hereunder to each incorporated municipality within the county shall be covered into the general funds of the city or town; and the portion of the proceeds retained by the county shall be covered into the general fund of Lee County, to be used for governmental purposes of the county as other moneys in the general fund of Lee County are now used.

Section 3. The court of county commissioners or like governing body of Lee County may provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax authorized by this Act, and may also provide reasonable compensation to sellers and distributors of malt or brewed beverages for the expense of compliance with such rules and regulations. The court of county commissioners or like governing body may employ such personnel as may be needed to collect and enforce the tax, and shall fix their compensation and tenure. Each city or town receiving any funds under this Act shall provide aid and assistance in enforcing the tax herein authorized within its territory.

Section 4. Any person, firm, or corporation who violates any provision of this Act or the rules and regulations as may be provided by the court of county commissioners or like governing body of Lee County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 5. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed by this Act shall pay, in addition to the tax, a penalty of ten percent of the amount of the tax, together with interest thereon at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied became payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective on the first day of the second month immediately after its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1959.

W. C. WEAR, JR.

Sworn to and subscribed before me August 11, 1959.

JEWEL WHATLEY,
Notary Public.

Also:

By Messrs. Torbert and Turnham:

H. 598. Relating to Lee County; providing for the compensation of the deputies to the sheriff of Lee County, and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lee County; providing for the compensation of the deputies to the sheriff of Lee County, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Lee County shall pay the compensation of the chief deputy to the sheriff in an amount not less than two hundred fifty dollars ($250.00) nor more than three hundred fifty dollars ($350.00) per month. The county governing body shall also pay the compensation of two other deputies to the sheriff, each of whom shall receive a salary of not less than two hundred dollars ($200.00) nor more than three hundred dollars ($300.00) per month. The exact amount of compensation to be paid to each of such deputies hereunder shall be fixed by the county governing body, and shall be paid out of the general fund of the county in the same manner as the salaries of other county employees.

Section 2. Act No. 16, H. 66, approved May 18, 1951 (Acts of Alabama 1951, p. 218), Act No. 670, H. 1032, approved September 4, 1951 (Acts of Alabama 1951, p. 1158), and all other laws or parts of laws in conflict with this Act, are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1959.

W. C. WEAR, JR.

Sworn to and subscribed before me August 11, 1959.

JEWEL WHATLEY,
Notary Public.

Also:

By Messrs. Torbert and Turnham:

H. 599. To amend Section 4 of Act No. 220, H. 679, approved July 12, 1949 (Acts of Alabama 1949, p. 312), entitled "An Act Creating the office of county solicitor of Lee County; providing the method of filling the office; and fixing the compensation and defining the duties of such solicitor," by fixing the compensation of the county solicitor.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 4 of Act No. 220, H. 679, approved July 12, 1949 (Acts of Alabama 1949, p. 312), entitled "An Act Creating the office of county solicitor of Lee County; providing the method of filling the office; and fixing the compensation and defining the duties of such solicitor," by fixing the compensation of the county solicitor.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 220, H. 679, approved July 12, 1949 (Acts of Alabama 1949, p. 312), entitled "An Act Creating the office of county solicitor of Lee County; providing the method of filling the office; and fixing the compensation and defining the duties of such solicitor," is amended to read as follows:

"Section 4. For his services the county solicitor of Lee County shall receive an annual salary of two thousand four hundred dollars ($2,400) payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid."

Section 2. This Act shall become effective upon the expiration of the term of office of the incumbent county solicitor of Lee County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week

for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1959.

W. C. WEAR, JR.

Sworn to and subscribed before me August 11, 1959.

JEWEL WHATLEY.
Notary Public.

Also:

By Messrs. Torbert and Turnham:

H. 600. Relating to and providing for the reidentification of electors in Lee County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to and providing for the reidentification of electors in Lee County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Lee County is hereby directed to purge all lists of the registered electors of Lee County to the end that the names of all who are deceased or nonresidents of the county, or who have otherwise become disqualified from voting therein, shall be removed from such lists and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district and precinct in which he resides.

Section 2. The board of registrars of Lee County of Lee County shall omit and remove from the lists of qualified electors of the county the name of every person who fails to reidentify himself in one of the ways hereinafter provided before the first day of October, 1962; provided, however that no one who has registered as a qualified elector of the county since January 1, 1959, shall be required to reidentify himself. No person removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector, nor be subject to reregistration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote at elections held in the county after the first day of October, 1962.

Section 3. A qualified elector may reidentify himself in any one of the following ways:

(a) He may reidentify himself by appearing in person at the office of the board of registrars or the judge of probate of Lee County, or before one of the duly authorized employees of the judge of probate, and answering such questions and submitting such proof as may be set forth hereinafter to establish the elector's identity and place of legal residence and that the elector has not become disqualified from voting in the county.

(b) He may also reidentify himself at any election at which the elector votes prior to October 1, 1962, by answering and signing the questionnaire hereinafter provided for, in the presence of a clerk, manager, inspector, or returning officer at such election, who also shall sign the questionnaire as an attesting witness. The returning officer shall transmit each signed questionnaire to the judge of probate for transmittal to the board of registrars.

(c) A qualified elector who is on active duty in the Armed Forces of the United States, or the husband or wife of a member of the Armed Forces on active duty, may also reidentify himself or herself by filling in and mailing to the office of the judge of probate the completed answers to such questions as are set forth in the questionnaire hereinafter detailed, and the elector's signature to such questionnaire must be witnessed by a commissioned officer of the Armed Forces.

(d) The board of registrars shall furnish a sufficient number of blank questionnaires to the judge of probate, and also to the sheriff, party executive committee, or other officer, agency, or committee charged with the duty of sending out election supplies, who shall cause a sufficient number thereof to be sent to each voting place at each election to be held prior to October 1, 1962.

(e) The questionnaire shall be in substantially the following form:

VOTERS REIDENTIFICATION
QUESTIONNAIRE

Lee County, Alabama
Date:, 19.....
Name:
(First) (Middle) or (Maiden) (Last)
Legal Residence Address
(Street or Route)
City or Town:
State:
Date of Birth:
Sex Color

I now vote and I am a qualified elector in Precinct or Beat No....., Box No....., and I have not been convicted of a criminal offense which disqualifies me from voting nor am I otherwise disqualified from voting in this county.

I have resided in Precinct or Beat No..... for the past three months.

Signed:
(Signature of Elector)

Witnessed before me this the.....day of....., 19.....

.....
Registrar — Judge of Probate — Election Official — Commissioned Officer U. S. Armed Forces.

Section 4. Any qualified elector of Lee County who shall have his or her name omitted or removed from the lists of qualified electors in the county by reason of his or her failure to reidentify himself or herself as hereinabove provided, or whose name is otherwise purged therefrom, shall be entitled to have his or her name restored to the list of qualified electors by appearing in person and reidentifying himself or herself in person at the office of the board of registrars or judge of probate in the manner hereinabove provided. However, after September 1, 1962, every qualified elector must have reidentified himself or herself at least thirty days prior to voting.

Section 5. Whoever knowingly makes a false statement in answer to the reidentification questionnaire to the board of registrars or the judge of probate or the duly authorized employees of the judge of probate or to the clerk, manager, inspector or returning officer or to the commissioned officer of the United States Armed Forces, is guilty of perjury, and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

Section 6. The court of county commissioners, board of revenue, or like governing body of Lee County, is hereby authorized and directed to furnish the board of registrars and the judge of probate the supplies, equipment, printed forms, stationery, stamps, clerical help and advertisements necessary for the reidentification of voters as herein provided.

Section 7. The board of registrars shall meet as often as necessary and on such dates as the board may by order fix for the purpose of purging the list of qualified electors of the county. The board may meet any number of days not exceeding thirty days from October 1, 1962 until April 1, 1963, in excess of the maximum now provided by law, for the purpose of purging such list, and shall be entitled to the same per diem allowances for meeting on such dates, in excess of the maximum, as now provided by law.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall take effect immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the years 1959.

W. C. WEAR, JR.

Sworn to and subscribed before me August 11, 1959.

JEWEL WHATLEY,
Notary Public.

Also:

By Messrs. Torbert and Turnham:

H. 601. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361), which created and established the Court of Common Pleas of Lee County.

STATE OF ALABAMA
COUNTY OF LEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361), which created and established the Court of Common Pleas of Lee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361) entitled "An Act Relating to Lee County: To create and establish in Lee County in lieu of the county court and the juvenile court, a court with county-wide limited jurisdiction of criminal cases, civil actions at law and of juvenile cases, said court to be known as the Court of Common Pleas of Lee County, Alabama; providing it with officers and providing their powers, duties, salary, compensation, their terms of office and the manner of their selection, appointment and election; regulating its procedure and process, and for the return of warrants thereto including all warrants for the violation of the rules of the road and similar offenses; and fixing the costs, charges and commissions collectible therein, and the compensation of its officers; abolishing the County Court and the Juvenile Court of Lee County and providing for the transfer and trial of cases pending in the County Court of Lee County and in the Juvenile Court of Lee County, at the time this act takes effect, to the Court of Common Pleas of Lee County, Alabama," as amended, is hereby further amended to read as follows:

"Section 3. Judge. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1950, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

"(b) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment or election, a qualified elector of Lee County, learned in the law, and licensed to practice law in this State. Neither the judge nor his partner shall practice law in any criminal case in any court in Lee County, nor shall his partner appear as counsel in any civil case in the Court of Common Pleas, but they may appear as counsel in civil cases in any court except the Court of Common Pleas, and the judge

shall be subject to the same penalties and obligations as circuit judges. Any vacancy occuring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

"(c) The judge shall receive an annual salary of three thousand six hundred dollars ($3,600), payable out of the general fund of the county in equal monthly installments.

"(d) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, habeas corpus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat returnable to a court of proper jurisdiction; (3) administer oaths and take acknowledgements; (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace, including that of magistrates on preliminary examinations.

"(e) The judge shall keep an office within the county and the county governing body may provide such office in the county courthouse. His office shall be suitably furnished, equipped and provided at the expense of the county with such office supplies and stationery, stamps, furniture, fixtures, and other materials as may be necessary for the transaction of the business of the court.

"(f) In the event, the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code."

Section 2. Section 5 of said Act No. 242, H. 678, approved July 15, 1949, is hereby amended to read as follows:

"Section 5. Practice and procedure. (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

"(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite.

"(c) All garnishment proceedings in the court shall be governed by the provisions of Chapter 27 of Title 7, Code of Alabama 1940, except that the garnishee shall appear and file his answer within fifteen days after the service on him of process of garnishment and the process shall so recite."

Section 3. Section 9 of said Act No. 242, H. 678, approved July 15, 1949, is hereby amended to read as follows:

"Section 9. Appeals and Certiorari. Any party aggrieved by a judgment, order, or ruling of the court, may within fifteen days after the rendition thereof, appeal the decision as herein provided. I. If the case is a civil case, the appeal or certiorari lies to the circuit court of Lee County and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, where the trial shall be de novo with trial by jury

where demanded by either party as provided by Code 1940, Title 7, Section 264; or at the option of the appellant the appeal lies to the Court of Appeals, except as to actions involving possession of lands, and shall be governed by Article 1 of Chapter 3, Title 13 of the 1940 Code. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed one hundred dollars ($100.00) the issues shall be made up as provided by Code 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the regular rules of pleading and practice in the circuit court. 2. If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the 1940 Code. 3. In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code 1940, Title 15, Section 320; or at the option of the appellant to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code."

Section 4. Section 10 of said Act No. 242, H. 678, approved July 15, 1949, is hereby amended to read as follows:

"Section 10. Judgments. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code, for parties in whose favor judgments are rendered by circuit courts or other courts of record."

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 6, July 13, July 20, and July 27, all in the year 1959.

W. C. WEAR, JR.

Sworn to and subscribed before me August 11, 1959.

JEWEL WHATLEY,
Notary Public.

Also:

By Messrs. Reynolds (Madison) and Roberts:

H. 603. To amend further Section 4 of the act approved September 25, 1947 (Act No. 470, H. 899, Local Acts 1947, p. 329) relating to the office of chief clerk to the circuit solicitor of the Twenty-third Judicial Circuit.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 4 of the act approved September 25, 1947 (Act No. 470, H. 899, Local Acts 1947, p. 329) relating to the office of chief clerk to the circuit solicitor of the Twenty-third Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of the act approved September 25, 1947 (Act No. 470, H. 899, Local Acts 1947, p. 329) relating to the office of chief clerk to the circuit solicitor of the Twenty-third Judicial Circuit is hereby amended to read as follows:

"Section 4. The Chief Clerk shall be paid an annual salary not to exceed three thousand six hundred dollars ($3,600), to be determined and fixed by the Circuit Solicitor of the Twenty-third Judicial Circuit, payable in equal monthly installments out of the general funds of the county on warrants drawn by the chairman of the county governing body."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

May 12, 19, 26, June 2, 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 12, May 19, May 26, and June 2, all in the year 1959.

W. C. Lewis.

Sworn to and subscribed before me June 3, 1959.

OPAL H. DILWORTH,
Notary Public.

Also:

By Mr. Rogers:
H. 605. Relating to Macon County; regulating further the practice of cosmetology in Macon County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Macon County; regulating further the practice of cosmetology in Macon County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who has received a diploma from a qualified school of cosmetology, and who has served as an apprentice cosmetologist for fifteen (15) months or more shall be entitled to a certificate of registration from the Alabama Board of Cosmetology, upon application therefor, and shall be entitled to practice cosmetology in Macon County, any provision of law to the contrary notwithstanding. It is provided, however, that any cosmetologist licensed hereunder, except as otherwise expressly provided herein, shall be subject to all laws of the State regulating the practice of cosmetology and all rules and regulations duly promulgated and adopted by the Alabama Board of Cosmetology.

Section 2. This Act shall become effective immediately after its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hal Fisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 13, Aug. 20, Aug. 27, and Sept. 3, all in the year 1959.

HAL FISHER.

Sworn to and subscribed before me Sept. 3, 1959.

MRS. FLORENCE G. FISHER,
N. P.

Also:

By Messrs. Bailey, Goodwyn, Goldthwaite and Pierce:

H. 610. To amend Section 24 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

Also:

By Messrs. Brewer and Gilchrist:

H. 612. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required By Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the next special or regular session of the Legislature of Alabama for the enactment of Local Law substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Decatur, in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

Beginning at a point 300 feet south of the south margin of Second Street S. W., at a southwest corner of the present City limit line of the City of Decatur and running thence south parallel with 14th Avenue S. W., 1061 feet, more or less, to the south margin of Third Street S. W.; thence east along the south margin of Third Street S. W., to the present west City limit line of the City of Decatur; thence north along the present City limit line of the City of Decatur to a point 300 feet south of Second Street S. W., where said City limit line turns west; thence west along the present City limit line of the City of Decatur to the point of beginning.

SECTION 2. This Act shall be effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30, and July 6, all in the year 1959.

B. C. SHELTON.

Sworn to and subscribed before me 6th day of July, 1959.

R. H. JERVIS,
Notary Public.

My Commission Expires 10-15-61.

Also:

By Messrs. Bassett and Boyd:

H. 614. To regulate the compensation of deputy sheriffs, other than the chief deputy sheriff, of Pike County; amending Section 1 of Act No. 634, H. 1057, as amended, approved July 10, 1940, (Local Acts of Alabama 1939, p. 366) and Section 2 of Act No. 165, H. 574, approved June 28, 1949, (Acts of Alabama 1949, p. 193).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF PIKE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate the compensation of deputy sheriffs, other than the chief deputy sheriff, of Pike County; amending Section 1 of Act No. 634, H. 1057, as amended, approved July 10, 1940, (Local Acts of Alabama 1939, p. 366) and Section 2 of Act No. 165, H. 574, approved June 28, 1949, (Acts of Alabama 1949, p. 193).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 634, H. 1057, as amended, approved July 10, 1940, entitled, "An Act to authorize the Court of County Commissioners of Pike County, Alabama to, provide an additional deputy sheriff for Pike County to that now provided by law; to fix the salary of said deputy and to make same payable in equal monthly installments from the general funds of Pike County; to repeal all laws in conflict therewith", is hereby amended to read as follows:

Section 1. The Court of County Commissioners of Pike County, Alabama, is hereby authorized in its discretion to provide for an additional deputy sheriff for Pike County to that now provided by law, who shall be appointed by the sheriff of said County, and who shall hold said office at the pleasure of said sheriff, and shall receive a salary (fixed by the sheriff with the approval of the Court of County Commissioners) of not less than Eighteen Hundred Dollars ($1800) per annum nor more than Thirty-six Hundred Dollars ($3600) per annum, to be paid in twelve equal monthly installments out of the general fund of said County."

Section 2. Section 2 of Act No. 165, H. 574, approved June 28, 1949, entitled, "An Act to authorize the Court of County Commissioners of Pike County, Alabama, to provide an additional deputy sheriff for Pike County, Alabama, in addition to the deputies now provided by law, to be appointed by and serve at the pleasure of the sheriff; to provide for the annual salary of such deputy to be determined by said court of county commissioners, in an amount not exceeding twelve hundred dollars

($1200) per year, payable in equal monthly installments from the general fund of said county; and to provide that the said court of county commissioners shall have power and authority to revoke the provisions and allowances for said deputy sheriff at any time," is hereby amended to read as follows:

"Section 2. That the salary of such deputy sheriff shall be determined by the sheriff with the approval of the Court of County Commissioners of Pike County, Alabama, in an amount not less than Twelve Hundred Dollars ($1200), nor more than Twenty-four Hundred Dollars ($2400) a year, and shall be payable in equal monthly installments from the general fund of said county."

Section 3. That all laws or parts of laws, general, special, or local in conflict herewith are to the extent of such conflict, repealed.

Section 4. That this Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

STATE OF ALABAMA
PIKE COUNTY

Before me, Frances Norton, A Notary Public in and for said State and County, personally appeared Glenn Jones, who being sworn deposes and says on oath, that he is the publisher of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill To be entitled an act was published in said newspaper 4 times, the same appearing in the issues dated: July 29; Aug. 5, 12, 19th.

GLENN JONES,
Publisher.

Sworn to and subscribed before me this the 9th day of September, 1959.

FRANCES NORTON,
Notary Public, Pike County, Ala.

Also:

By Messrs. Long (Perry) and Barnett:
H. 613. Proposing an amendment to the Constitution of Alabama relating to Uniontown in Perry County, and ordering an election thereon.

Also:

By Messrs. Cornett and Smith (Russell):
H. 621. To provide for the feeding and care of certain county prisoners of Russell County employed or used on the construction, repair, and maintenance of county roads and bridges, or other such road work; to authorize a daily tobacco allowance for such prisoners; to provide hospital and medical care and treatment for any of such prisoners who are injured or become ill while engaged in such road work; to prescribe the powers, duties, and authority of the sheriff and the governing body of Russell County in carrying out the provisions of this Act; and giving certain portions of the Act retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF RUSSELL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To provide for the feeding and care of certain county prisoners of Russell County employed or used on the construction, repair, and maintenance of county roads and bridges, or other such road work; to authorize a daily tobacco allowance for such prisoners; to provide hospital and medical care and treatment for any of such prisoners who are injured or become ill while engaged in such road work; to prescribe the powers, duties, and authority of the sheriff and the governing body of Russell County in carrying out the provisions of this Act; and giving certain portions of the Act retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Russell County shall prepare, or cause to be prepared, a noon lunch or meal for each county prisoner of Russell County employed or being used in the construction, repair, and maintenance of county roads and bridges, or in other road work, which lunch or meal shall be served and eaten at noon at the place of work in order to prevent having to transport such prisoners back to the county jail each day for their noon meal. The board of revenue, court of county commissioners, or other like governing body of Russell County shall allow to the sheriff a sum not to exceed fifty cents ($.50) for each such lunch or meal prepared and served to a county prisoner, upon certification thereof by the sheriff, which amounts shall be paid out of the general funds of the county on warrant drawn in the manner prescribed by law.

Section 2. Each county prisoner of Russell County employed or being used in the construction, repair, and maintenance of county roads and bridges, or in other such road work, may be given a daily tobacco allowance, under such rules and regulations as the county governing body may prescribe, the exact amount of which shall be fixed by the governing body of Russell County, in an amount not to exceed fifteen cents ($.15) per day, and paid out of the general funds of the county on warrant drawn in the manner prescribed by law.

Section 3. If any prisoner of Russell County is employed or being used in the construction, repair, and maintenance of county roads and bridges, or other such road work, and is injured or becomes ill for any reason whatsoever while engaged in such work, the governing body of Russell County, upon certification by the sheriff of the fact of such injury or illness, shall provide such prisoner with adequate and necessary hospital and medical care and treatment. The cost of such hospital or medical care and treatment shall be paid out of the general funds of the county on warrant drawn in the manner prescribed by law.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law, and shall be applicable to all noon meals served to county prisoners away from the jail, in the manner prescribed herein, since January 1, 1959, and to all hospital and medical care treatment of county prisoners who have been injured or who have become ill since January 1, 1959, while engaged in road work for the county.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Julian Pinkston, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Phenix Citizen, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 23, July 30, Aug. 6, and Aug. 13, all in the year 1959.

JULIAN PINKSTON.

Sworn to and subscribed before me August 27, 1959.

JULIA M. SIMMONS.
Notary Public.

Also:

By Mr. Cates:
H. 622. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Shelby County.

Also:

By Mr. Nichols:
H. 625. To amend an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 286, H. 828, Acts 1957 Reg. Sess., p. 365) so as to exclude certain territory annexed to the city by said act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 286, H. 828, Acts 1957 Reg. Sess., p. 365) so as to exclude certain territory annexed to the city by said act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama." (Act No. 286, H. 828, Acts 1957 Reg. Sess., p. 365) is amended to read as follows:

"Section 1. That the corporate limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

"The southeast Quarter of Section 17 Township 21 South of Range 4 East; the North Half of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter; all in Section 20 of Township South of Range 4 East; all of the same being in Talladega County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

13-4tc

THE STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, J. V. Greer, who being duly sworn according to law, deposes and says that he is the publisher of the Sylacauga News, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: July 2, 1959, July 9, 1959, July 16, 1959, July 23, 1959.

J. V. GREER.

Subscribed and sworn to before me this 24th day of August, 1959.

LEON ARCHER,
Notary Public.

Also:

By Mr. Nichols:

H. 626. To amend an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 288, H. 830, Acts 1957 Reg. Sess., p. 367) so as to exclude certain territory annexed to the city by said act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA
COUNTY OF TALLADEGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend an act approved August 16, 1957, entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 288, H. 830, Acts 1957 Reg. Sess., p. 367) so as to exclude certain territory annexed to the city by said act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City

of Sylacauga, Talladega County, Alabama" (Act No. 288, H. 830, Acts 1957 Reg. Sess., p. 367) is amended to read as follows:

"Section 1. That the corporate limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

"The Northwest Quarter of the Southwest Quarter of Section 16, Township 21 South of Range 4 East, in Talladega County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-18-4tc

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law deposes and says that he is the Publisher of the SYLACAUGA ADVANCE, a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: June 18, 1959; June 25, 1959; July 2, 1959, July 9, 1959.

W. A. MOODY.

Subscribed and sworn to before me this 20th day of August, 1959.

FAYE HOSEY,
Notary Public.

Also:

By Mr. Ashworth:
H. 632. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 17,650 nor more than 18,000, according to the last or any subsequent federal decennial census.

Also:

By Mr. Jones (Monroe):
H. 637. To apply in all counties having a population of not less than 25,725 nor more than 25,875, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county.

Also:

By Messrs. Perry, Morrow, Locke, Hawkins, Rast and Sessions:
H. 595. Relating to the municipality of the City of Graysville in Jefferson County; To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
JEFFERSON COUNTY

Pursuant to constitutional requirement, notice is hereby given that a bill substantially as follows will be introduced at the present session (1959 regular session) of the Legislature of Alabama for the purpose of passing a local bill for Jefferson County, incorporating into the City of Graysville, Alabama, the territory hereinafter particularly described. Said bill will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of the City of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of the City of Graysville in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the City of Graysville the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits of said City, to-wit:

NW¼ of NW¼ and SW¼ of NW¼ Section 29, Township 16 South, Range 4 West, situated in Jefferson County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 20, 27, July 4, 11, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 13th day of July, 1959.

SARA WHEELER,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 582, 588, 589, 590, 593, 597, 598, 599, 600, 601, 603, 605, 610, 612, 614, 613, 621, 622, 625, 626, 632, 637, and 595 — to the Committee on Local Legislation.

(The Bills, HB's 613 and 622, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Meade, Guthrie, Harris, Ray, Oden, Harvey, Jenkins, Albea, Casey, and Solomon:

H. 345. To amend Section 380, Title 51, Code of Alabama 1940, in relation to the recognition of gain or loss for state income tax purposes on property involuntarily converted as a result of condemnation; giving the amendment retroactive effect.

Also:

By Mr. Martin:

H. 591. To permit the use of facsimile signatures on bonds, warrants, notes, and certificates issued by any county, municipality, board of education, or public corporation in this state, the use of facsimile signatures thereon in any instance where authentication, certification of validation or registration, or other certification is required or permitted to be recorded thereon, and the reproduction in facsimile of any seal required or permitted to be affixed or impressed thereon.

Also:

By Messrs. Edwards and Solomon:

H. 336. To amend further Section 42 of Title 22, Code of Alabama 1940, in relation to the certification and search of vital records.

Also:

By Messrs. Pruitt, Pierce, Rozelle, Goldthwaite, Branyon, Perry, Nichols, Boyd, Bailey, Turner, Morrow, Roberts, Goodwyn, and Bassett:

H. 133. Relating to Department of Revenue, to authorize and direct the Commissioner of the Department of Revenue to allow a discount of two per cent (2%) on the first $5,000.00 of tax paid to the state and of one per cent (1%) on all amounts of tax paid in excess of $5,000.00, not exceeding $200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

Also:

By Messrs. Smith (Russell), Cornett, Jones (Monroe), Ashworth, Gilchrist, Pruitt, Goodwyn, and Hocklander:

H. 228. To amend the following laws relating to the running of prison sentences in order to incorporate therein provisions authorizing certain sentences to imprisonment on two or more convictions to run concurrently and others consecutively and prescribing when such sentences begin and end: Section 32, as amended, Title 45, Code of Alabama, 1940, which relates to the serving of two or more sentences to the penitentiary; Section 83 of this same title, which relates to the serving of

two or more sentences to hard labor for the county; and Section 1 of Act No. 534, S. 353, approved July 9, 1943 (Acts of Alabama 1943, page 508) as amended (now set out in Section 253 of the Pocket Supplement to the Code of Alabama, 1940), which authorizes deductions from prison sentences for good conduct in prison and prescribes the manner of computing such deductions.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 345, 591 and 336 — to the Committee on Judiciary

H. B. 133 — to the Committee on Finance and Taxation

H. B. 228 — to the Committee on Public Welfare and Correctional Institutions.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hocklander and Murphy:
H. 459. To amend further Section 254 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of deputy circuit solicitors of the thirteenth judicial circuit.

Also:

By Messrs. Harvey, Jenkins, Martin, Oakley, Avery, Thomas, Reynolds (Chambers), Solomon, Adams (Houston), Brooks, Hawkins, Boyd, Grant, Casey, Lee, Adams (Tallapoosa), Johnson (J. T. Tom), Long (Perry), Ingram, Cates, Salter and Nichols:
H. 413. Relating to the Alabama Polytechnic Institute, a public corporation; changing the name of such institution to Auburn University.

Also:

By Mr. Branyon:
H. 535. To alter, extend, and rearrange the boundary lines and corporate limits of the city of Fayette in Fayette County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend, and rearrange the boundary lines and corporate limits of the city of Fayette in Fayette County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the city of Fayette in Fayette County, Alabama, are hereby altered, extended and rearrange so that in addition to the territory presently embraced therein, all of the lands described herein will lie and be within the boundaries and corporate limits of such city:

The northwest quarter (NW¼) of Section 18, Township 16, Range 12, west; the north half of the southeast quarter (N½ of SE¼), the south half of the northeast quarter (S½ of NE¼) and the northwest quarter of the northeast quarter (NW¼ of NE¼), all in Section 12, Township 16, Range 13, west; the west half of the east half (W½ of E½) of Section 1, Township 16, Range 13, west; the southeast quarter (SE¼), the southeast quarter of the northwest quarter (SE¼ of NW¼), and the south half of the northeast quarter (S½ of NE¼) all in Section 36, Township 15, Range 13, West; the south half of the northwest quarter (S½ of NW¼) and the northeast quarter (NE¼) of Section 31, Township 15, Range 12, west; the west half of the northwest quarter (W½ of NW¼) of Section 32, Township 15, Range 12, west; the southwest quarter (SW¼), the southeast quarter (SE¼), the southeast quarter of the northwest quarter (SE¼ of NW¼) and the south half of the northeast quarter (S½ of NE¼) all in Section 29, Township 15, Range 12, west.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(6-25-4tc)

STATE OF ALABAMA
FAYETTE COUNTY

Personally appeared the undersigned who, being duly sworn, says he is the Publisher of the Fayette County Times, a newspaper published and printed each Thursday in Fayette, Alabama, in said County and State, and that the notice hereto attached was published in said newspaper for four successive weeks on towit: June 25, July 2, July 9, July 16, 1959.

SI V. MITCHELL.

Sworn to and subscribed to me this seventh day of August, 1959.

ILA M. MITCHELL,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 459 — to the Committee on Finance and Taxation

H. B. 413 — to the Committee on Education

H. B. 535. — to the Committee on Local Legislation

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the orginal Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 22. Commending State Superintendent, Dr. J. S. Tarwater and the superintendents and staffs of the three state mental health institutions.

HUGH MOSES,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Ferguson, Sullivan, Pruitt, Hankins, Bishop, Branyon, Roberts, Self, Cates, Speaks, Gross, Meade, Adams (Tallapoosa), Turner, Hardy, Cabiness, Gordon and Casey:

H. J. R. 64. WHEREAS the beautiful, winsome and talented entrant from our neighboring State of Mississippi was chosen "Miss America of 1960" in the contest at Atlantic City, New Jersey on last Saturday evening, September 12; and

WHEREAS this is the second year in succession that a Mississippi beauty has won this distinction; and

WHEREAS Alabama and the whole Southland is basking in reflected glory which has inured to us because of the poise, and graciousness with which the charming Miss Lynda Lee Mead, of Natchez, Mississippi, conducted herself during this contest and the humility with which she acknowledged this signal honor; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING:

That the Legislature of Alabama is proud of Mississippi's Miss Lynda Lee Mead, whose rare beauty, charming manner and numerous talents are so worthy of the crown bestowed on her; and hereby extends to her a cordial invitation to attend a session of the Alabama Legislature at her convenience so that she may in person receive Alabama's felicitations on her crowning and best wishes for a gala, entertaining, interesting and rewarding year as Miss America.

BE IT FURTHER RESOLVED that the judges for the 1960 Miss America contest are hereby commended for the excellent judgment they showed in selecting Miss Lynda Lee Mead as Miss America of 1960.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Miss Lynda Lee Mead of Natchez, Mississippi and a copy thereof be transmitted to the sponsors of the Miss America contest of 1960.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 64, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twentieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twentieth Legislative Day was approved by the Senate.

ADJOURNMENT

At 1:20 P. M., on motion of Mr. Eddins, the Senate adjourned until Tuesday, September 22, 1959, at 1 o'clock P. M.

TWENTY-FIRST LEGISLATIVE DAY

TUESDAY, SEPTEMBER 22, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend Charles Douglass, Rector, St. John's Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present

Messrs.:			
Andrews	Berryman	Crawford	Farmer
Archer	Caffey	deGraffenried	Gaither
Barnett	Clark	Dumas	Givhan
	Cooper	Eddins	Godfrey

Golson	Jones	Robison	Turner	
Graham	Kendall	Rutledge	Wilson	
Green	Leonard	Samford	Word	
Haltom	Porter	Shelton	Wyatt	
Hines	Roberts			—33

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Shelton, indefinite leave of absence was granted Mr. Webb.

On motion of Mr. Godfrey, leave of absence was granted Mr. Moses for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. deGraffenried:

S. 356. Relating to contracts; authorizing safe deposit companies, banks and other corporations or persons engaged in the business of renting or leasing safe deposit boxes to limit by contract their liability in respect to such business.

Committee on Banking.

By Messrs. Cooper, Crawford, Clark and Golson:

S. 357. To authorize and encourage joint action and cooperation between cattle raisers, cattle dealers and other handlers of cattle for the purpose of stabilizing, protecting, and promoting the cattle and beef industry in Alabama; recognizing the Alabama Cattlemen's Association as the representative and agent of the cattlemen of the state for the purpose of initiating and conducting certain programs designed to stabilize, protect and promote the cattle industry; authorizing providing for and regulating the levying and collection of assessments on sales of cattle to provide funds to finance such programs; placing certain duties relative to such assessments on the commissioner and the department of agriculture and industries; providing for a refund of any assessment collected under authority of this act to any cattleman who is dissatisfied with the levy thereof; and prescribing penalties.

Committee on Agriculture.

By Mr. Godfrey:

S. 358. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a

penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
DEKALB COUNTY

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to wit:

A bill for an act to authorize the governing body of DeKalb County to impose an excise tax, in addition to all other taxes imposed or authorized by law, on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuels or devices of substitutes therefor in DeKalb County. The act will regulate the imposition of the tax, and upon its imposition will require distributors, retail dealers, and storers of gasoline and other liquid motor fuels, or devices or substitutes therefor, to pay such tax upon the selling, distributing, or withdrawing from storage of gasoline and other such liquid motor fuels within the county, and the computation and payment of the tax by sellers of gasoline and other liquid motor fuels will be based on their sales and that by storers and distributors will be based on their withdrawals or distributions. The act will further provide, however, that one payment of the tax by any distributor, retail dealer, or storer will be sufficient, the intent of the act being that the tax is to be paid but once on the same gasoline. The act will exempt from payment of the tax sales of gasoline and other liquid motor fuels made in interstate commerce or to be used in essential governmental functions by county agencies, municipalities, and boards of education.

The act will provide for the enforcement, payment, and collection of the tax, and will require distributors, retail dealers, and storers engaged in making sales or withdrawals of gasoline and other liquid motor fuels in DeKalb County to make reports to the county governing body, as a condition precedent to engaging in such business in the county, showing the current place and post office address of the business, and, also, to make monthly reports showing the sales and withdrawals of taxable gasoline and other liquid motor fuels and such other information as the county governing body may require. Such distributors, storers, and retail dealers will also be required to keep at some certain place in Alabama such books and other documentary edidence as will show the amounts of sales or withdrawals of gasoline and other liquid motor fuels taxable in the county. Transportation companies or agencies operating in the county will be required to submit reports showing shipments of gasoline and other liquid motor fuels into the county, such reports to show the names and addresses of the consignors or consignees and the amounts of the shipments.

The act will provide for the payment of the tax, and will authorize its payment to the county governing body along with the required monthly reports, but will also authorize the state revenue department

to collect the tax for DeKalb County, with the approval of the Governor upon the request of the county governing body. The act will make provision for the enforcement collection, and payment of the tax in the event it is collected by the state agency. The county governing body will be given the duty of enforcing the act, upon the imposition of the tax, and it will have the right itself, or its members or agents, to examine the books, reports, and accounts of persons, firms, corporations, or associations subject to the tax, and it will also have the right to make rules or regulations necessary and proper for the collection of the tax. Further provisions for the enforcement and collection of the tax will include penalties for failure to make the required reports, failure to comply with the regulations of the county governing body, and failure to pay the required tax; and the act will also include remedies available to the county as against delinquent taxpayers, including the making of the taxes and penalties a lien upon the property of the person owing the taxes and penalties. Distributors, storers, or dealers who violate the act or fail to comply with any reasonable rule or regulation promulgated thereunder may be restrained from distributing, selling, storing, or withdrawing from storage taxable gasoline and other liquid motor fuels until such person has complied with the act.

The act will make provision for the distribution and use of the proceeds of the tax, and will provide for the use of such proceeds to surface, maintain, repair, and construct public roads and bridges in DeKalb County, and the act will provide that no part of such proceeds may be pledged in anticipation of its collection. The purpose of the act, however, is to provide for the construction and maintenance of county roads, and to assist the county in financing contracts entered into between the county and the State Highway Directors, providing for the construction of roads in the county, and the act will provide that to the extent necessary the proceeds of the tax may be used to replace the loss of any funds from the county gasoline fund which is derived from state gasoline taxes and which may be pledged in the liquidation of any indebtedness incurred by virtue of the road program as set out in the contract.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dale Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the DeKalb County News, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 6, 1959, August 13, 1959, August 20, 1959 and August 27, all in the year 1959.

DALE SMITH.

Sworn to and subscribed before me 21 Sept., 1959.

GLENN O. DESHIELDS,
Notary Public.

By Mr. Green:

S. 359. To provide for the licensing and operation of privately owned shooting preserves; to provide the Director of Conservation with

the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Committee on Forestry and Conservation.

By Mr. Barnett:

S. 360. To amend further the act approved June 23, 1945 (Act No. 159, H. 233, General Acts 1945, p. 200) regulating the business of lending money in amounts of $300 or less, so as to make it a misdemeanor for a license under the Act to charge interest at a rate in excess of eight percent per annum, and to provide the punishment therefor.

Committee on Banking.

By Messrs. Kendall and Rutledge:

S. 361. To repeal Section 4 of the act approved September 5, 1951, providing for the State Bureau of Publicity and Information (Act No. 712, H. 48, Acts of Alabama 1951, p. 1250, 1251).

Committee on Finance and Taxation.

By Mr. Turner:

S. 362. To amend Section 342 of Title 15, Code of Alabama 1940, in relation to hard labor sentences for nonpayment of court costs.

Committee on Judiciary.

By Mr. Hines:

S. 363. To provide for the deposit of money of the State and for the investment of portions thereof under certain conditions, creating the state investment committee and prescribing their powers, duties, and compensation.

Committee on Banking.

By Mr. Turner:

S. 364. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of one hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Committee on Banking.

By Messrs. Eddins, Rutledge, Crawford, Gaither, Givhan, Andrews, deGraffenried, Graham, Kendall, Leonard, Wyatt, Turner, Golson, Clark and Word:

S. 365. To create the position of Chief Engineer in the State Highway Department; to provide for his appointment, qualifications, duties, responsibilities and salary; and to provide for the effective date of this Act.

Committee on Finance and Taxation.

MOTION TO RECESS LOST

At 1:45 P. M. Mr. Golson moved that the Senate take a recess until 3 o'clock this afternoon, which motion was lost.

REPORTS OF COMMITTEES

Mr. Jones, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Porter, Wyatt, Godfrey, Berryman, Caffey, Leonard, Dumas, Samford, Hines and Haltom:

S. 30. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for the support and furtherance of education.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Andrews:

S. 51. Proposing an amendment to the Constitution of Alabama relative to payment of poll taxes as a prerequisite to voting.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Dumas:

S. 150. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding $40,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of a portion of the gasoline excise tax of the state, the proceeds of which bonds shall be used only for supplying the state's share of the cost of acquiring, constructing, or improving public roads, highways, and bridges in the state in conjunction with the United States, and toward the cost of which funds have heretofore been or may hereafter be allocated to the state under the provisions of any law of the United States now in effect or hereafter enacted.

The above Bill was read a second time at length as required by the Constitution.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cook (with notice and proof):

H. 480. To amend Section 1 of Act No. 652, H. 1030, approved October 9, 1947 (Local Acts of Alabama 1947, p. 409), entitled "An Act To provide for meetings and compensation of members of the County Board of Education of Coffee County."

By Mr. Grouby (with notice and proof):

H. 518. To abolish school district no. 6, Autauga County, and to annex the territory constituting such school district to school district no. 2 of said county.

By Mr. Grouby (with notice and proof):

H. 519. To provide for the election of members of the county board of education of Autauga County.

By Mr. Speaks (with notice and proof):

H. 523. To regulate further payment of compensation to deputy sheriffs by Chilton County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

By Mr. Speaks (with notice and proof):

H. 524. To permit any state bank having its principal place of business or a branch place of business or office in Chilton County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

By Mr. Phillips:

H. 525. To regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census.

By Mr. Casey (with notice and proof):

H. 526. Relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury.

By Mr. Guthrie (with notice and proof):

H. 531. To amend Section 1 of the act of August 19, 1957, changing the method of compensating certain officers of Cullman County (Act No. 297, H. 554, Acts 1957, Vol. 1, p. 379).

By Messrs. Adams (Houston), Chambers and Solomon (with notice and proof):

H. 538. To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama.

By Mr. Turner (with notice and proof):

H. 541. To prohibit the use of nets for fishing in Limestone County, and making the possession of prohibited nets under described conditions prima facie evidence of their illegal use; prescribing penalties.

By Mr. Turner (with notice and proof):

H. 542. To regulate further the office of sheriff of Limestone County; requiring the sheriff of such county and his deputies when engaged in official duties to wear uniforms and when motor vehicles are used in connection therewith to use motor vehicles that are plainly marked or identified as vehicles used in the discharge of the official duties of the office of sheriff; authorizing and directing the county governing body to prescribe the style of the uniforms to be worn and the manner of marking or identifying the motor vehicles so used and to provide for the furnishing of such uniforms to such officers and the marking of such vehicles at county expense; prescribing penalties for failure to wear such uniforms or to use marked vehicles as herein required; and prescribing a defense for such failure in certain instances.

By Mr. Turner:

H. 543. To provide for the appointment of a part-time clerk by the sheriff of any county having a population of not less than 35,500 nor

more than 38,500, according to the last or any subsequent federal decennial census, whose compensation shall be paid by the county.

By Mr. Turner (with notice and proof):

H. 544. To fix and provide for payment of the compensation of clerks and assistants of certain officers of Limestone County.

By Messrs. Barnett and Long (Perry) (with notice and proof):

H. 556. To provide for the payment of expenses incurred by members of the Court of County Commissioners, Board of Revenue, or like governing body of Perry County which are incurred in the performance of their duties.

By Messrs. Barnett and Long (Perry) (with notice and proof):

H. 557. To provide for appointment of an additional deputy by the sheriff of Perry County, and for the payment of his compensation.

By Mr. Smith (St. Clair) (with notice and proof):

H. 558. Relating to and providing for the reidentification of voters in St. Clair County; directing the board of registrars to purge the lists of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

By Mr. Smith (St. Clair) (with notice and proof):

H. 559. To amend Act No. 173, H. 490, approved June 30, 1953, (Acts of Alabama 1953, page 217) which creates and establishes the Inferior Court of St. Clair County, so as to provide that fees of officers and State's witnesses in criminal cases docketed in such court in which the State fails to convict, or the cause is otherwise abated, withdrawn or dismissed or an order of nolle prosequi is entered by the State, shall be paid from the Fine and Forfeiture Fund of St. Clair County and such fund reimbursed therefor by the State.

By Mr. Ashworth (with notice and proof):

H. 567. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

By Messrs. Johnston (Leonard) and Johnson (Hardaway) (with notice and proof):

H. 580. To amend Sections 1 and 3 of the act approved May 26, 1955, regulating the taking of fish from public streams and impounded waters in Elmore and Tallapoosa counties (Act No. 17, H. 93, Acts of Alabama 1955, Vol. I, pp. 229-231); prohibiting fishing with baskets and nets in the Coosa River or in the impounded waters thereof inside the boundaries of Elmore County, and making further provisions for the use of revenues derived from the sale of licenses in Elmore County.

By Messrs. Copeland and Hanby (with notice and proof):

H. 588. To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden, Alabama; to provide for the composition of said board; to provide for a secretary-treasurer of said board, to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

By Mr. Martin (with notice and proof):

H. 589. To amend Sections 3 and 4 of an act approved June 29, 1951, providing for the construction and maintenance of the roads and

bridges in Greene County on a county-unit basis (Act No. 149, H. 441, Acts 1951, p. 383), in relation to the compensation of the chairman and members of the court of county commissioners.

By Mr. Rozelle (with notice and proof):

H. 582. To vacate and annul the dedication to public use, prescribed in a deed to the City of Brewton from John R. Downing, as trustee for R. M. Jernigan, John R. Downing, and Thomas E. McMillan, then owners of Lincoln Park Subdivision, in the City of Brewton, to that certain parcel or tract of land hereinafter described by metes and bounds which is a part of that tract, lot or parcel of land designated as "Park" on the map of such subdivision on record in Map Book 3, at page 31 in the probate records of Escambia County, and more particularly described in the above mentioned deed, recorded in Deed Book 96 page 562, probate records of Escambia County.

By Mr. Rozelle (with notice and proof):

H. 581. To alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

By Mr. Adams (Houston) (with notice and proof):

H. 593. To alter, re-arrange and extend the boundaries of the Town of Kinsey in Houston County.

By Mr. Martin (with notice and proof):

H. 590. To fix the compensation of the deputy solicitor of Greene County.

By Mr. Ingram (with notice and proof):

H. 573. To abolish the office of deputy solicitor for Clay County and to create in lieu thereof the office of county solicitor; to provide for the election, qualifications, and term of the county solicitor, prescribe his powers, authority, and duties, and fix his compensation; and to require the board of revenue, court of county commissioners, or other like governing body of Clay County to furnish the county solicitor with necessary office space, supplies, and equipment.

By Mr. Steagall (with notice and proof):

H. 575. To authorize the court of county commissioners, board of revenue or other like governing body of Dale County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Dale County public highway and traffic fund.

By Mr. Steagall (with notice and proof):

H. 574. To permit any bank having its principal place of business in Dale County to establish, maintain, and operate, within the corporate limits of any incorporated municipality in Dale County, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

By Messrs. Turnham and Torbert (with notice and proof):

H. 597. To authorize the court of county commissioners or like governing body of Lee County to levy a privilege or license tax on persons, corporations, co-partnerships, companies, agencies, and associations selling, distributing, or delivering any malt or brewed beverages to retailers in Lee County; to authorize the court of county commissioners or like governing body of Lee County to collect the tax and to distribute among the incorporated municipalities within the county their

pro rata share of the proceeds; to authorize the court of county commissioners to make rules and regulations to govern enforcement and collection of the tax; and to provide for the use of the proceeds derived from the tax.

By Mr. Steagall (with notice and proof):
H. 576. To provide a salary for the coroner of Dale County, and to prescribe the manner of payment thereof.

By Messrs. Torbert and Turnham (with notice and proof):
H. 598. Relating to Lee County; providing for the compensation of the deputies to the sheriff of Lee County, and repealing conflicting laws.

By Messrs. Torbert and Turnham (with notice and proof):
H. 599. To amend Section 4 of Act No. 220, H. 679, approved July 12, 1949 (Acts of Alabama 1949, p. 312), entitled "An Act Creating the office of county solicitor of Lee County; providing the method of filling the office; and fixing the compensation and defining the duties of such solicitor," by fixing the compensation of the county solicitor.

By Messrs. Torbert and Turnham (with notice and proof):
H. 600. Relating to and providing for the reidentification of electors in Lee County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

By Messrs. Torbert and Turnham (with notice and proof):
H. 601. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361), which created and established the Court of Common Pleas of Lee County.

By Messrs. Reynolds (Madison) and Roberts (with notice and proof):
H. 603. To amend further Section 4 of the act approved September 25, 1947 (Act No. 470, p. 899, Local Acts 1947, p. 329) relating to the office of chief clerk to the circuit solicitor of the Twenty-third Judicial Circuit.

By Messrs. Bailey, Goodwyn, Goldthwaite and Pierce:
H. 610. To amend Section 24 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

By Messrs. Brewer and Gilchrist (with notice and proof):
H. 612. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Messrs. Long (Perry) and Barnett:
H. 613. Proposing an amendment to the Constitution of Alabama relating to Uniontown in Perry County, and ordering an election thereon.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Cornett and Smith (Russell) (with notice and proof):
H. 621. To provide for the feeding and care of certain county prisoners of Russell County employed or used on the construction, repair,

and maintenance of county roads and bridges, or other such road work; to authorize a daily tobacco allowance for such prisoners; to provide hospital and medical care and treatment for any of such prisoners who are injured or become ill while engaged in such road work; to prescribe the powers, duties, and authority of the sheriff and the governing body of Russell County in carrying out the provisions of this Act; and giving certain portions of the Act retroactive effect.

By Mr. Ashworth:

H. 632. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 17,650 nor more than 18,000, according to the last or any subsequent federal decennial census.

By Messrs. Copeland and Hanby (with notice and proof):

H. 638. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

By Mr. Branyon:

H. 639. Regulating further the insuring of the property of public hospitals in all counties in this State having a population of not less than 19,200 nor more than 20,200, according to the last or any subsequent federal decennial census.

By Mr. Phillips (with notice and proof):

H. 640. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for precinct five, Choctaw County.

By Mr. Phillips (with notice and proof):

H. 642. Relating to and providing for the reidentification of electors in Choctaw County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

By Messrs. Bevill and Shumate (with notice and proof):

H. 643. To abolish the office of County Solicitor of Walker County, Alabama, and to create in lieu thereof the office of the Solicitor of the County Court of Walker County, Alabama, to provide for the appointment and the election of such officer by the qualified voters of said Walker County, to prescribe his duties, powers and qualifications and to provide for his compensation and the way in which same is to be paid, to fix the term of his office, to provide for the election of his successor in office and to fix the time in which he shall take office and to relate that all general and local laws in conflict with the provisions of this Act are repealed in so far as they relate to said Walker County, Alabama.

By Messrs. Bassett and Boyd (with notice and proof):

H. 614. To regulate the compensation of deputy sheriffs, other than the chief deputy sheriff, of Pike County; amending Section 1 of Act No. 634, H. 1057, as amended, approved July 10, 1940, (Local Acts of Alabama 1939, p. 366) and Section 2 of Act No. 165, H. 574, approved June 28, 1949, (Acts of Alabama 1949, p. 193).

By Mr. Smith (St. Clair) (with notice and proof):

H. 646. Relating to St. Clair County; providing for the election of county commissioners from districts; prescribing the powers and

duties of the court of county commissioners of St. Clair County, and the qualifications, term of office, compensation, and manner of election of the members thereof; and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

By Mr. Grouby (with notice and proof):

H. 647. To provide for and regulate the payment of a portion of the compensation of clerks in the offices of the tax assessor and tax collector of Autauga County.

By Mr. Grouby (with notice and proof):

H. 649. To fix the compensation of the coroner of Autauga County and provide for the payment thereof.

By Mr. Grouby (with notice and proof):

H. 648. To amend Sections 1 and 5 of Act No. 445, H. 858, approved August 23, 1947 (Local Acts of Alabama, 1947, p. 303), entitled "An Act To establish a Court of Common Pleas for Autauga County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of Cases and transactions of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; and to abolish the Civil and Criminal Court of Autauga County, Alabama, and the County Court of Autauga County, Alabama."

By Mr. Grouby (with notice and proof):

H. 650. Fixing the compensation of members of the board of education of Autauga County, and providing for the payment of expenses incurred by the members thereof in attending meetings and transacting business of the board.

By Mr. Eddins (with notice and proof):

S. 348. Relating to the holding of elections in Marengo County; requiring the court of county commissioners, board of revenue, or other like governing body of Marengo County to provide for the purchase, installation, and use of voting machines in all elections held within the county.

By Mr. Jones (with notice and proof):

S. 352. Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively and finds same correctly enrolled, to-wit:

S. 25. Relating to the public schools of Lowndes County; authorizing the county board of education to impose and provide for the

collection of tuition charges or fees for the attendance of pupils at such schools.

Also:

S. 226. To alter, rearrange, and extend the boundary line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

CARL C. GOLSON,
Vice-Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively and finds same correctly engrossed, to-wit:

S. 53. To amend further Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, p. 601), entitled "An Act To provide for absentee voting in primary, general, special, and municipal elections; Prescribing penalties for violations of the Act and repealing conflicting laws," so as to provide for absentee voting only by certain electors.

CARL C. GOLSON,
Vice-Chairman.

MESSAGE FROM THE GOVERNOR

September 22, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mr. John F. Britton, Montgomery, as a member of the Board of Corrections of Alabama, for the term expiring July 17, 1969.

Respectfully,

JOHN PATTERSON,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the appointment of Mr. John F. Britton to the Board of Corrections of Alabama, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Martin:
H. 592. To amend Section 107 of Title 12 of the Code of Alabama of 1940 so as to provide for the execution of bonds of counties by any two or more officers designated for that purpose by the governing body of the county, and so as to permit the use of facsimile signatures and seals in the execution of such bonds.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 592 — to the Committee on Judiciary

BILLS ON THIRD READING

The Bill:

H. 422. Relating to Cullman County; providing further for the government of the county by abolishing the Cullman County Commission and creating in lieu thereof a board of revenue; providing for the organization, powers, duties, and authority of the board of revenue; prescribing the powers, duties, and authority of the chairman and members of the board, and providing for their election, tenure, qualifications, and compensation; repealing conflicting laws.

was taken up.

Mr. Rutledge offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 422

In Section 2, lines 10, 11, and 12, strike out ", and at the time of their election or appointment shall be high school graduates and shall be not less than thirty-five (35) nor more than sixty-five (65) years of age"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Archer	Farmer	Jones	Shelton	
Barnett	Givhan	Kendall	Turner	
Caffey	Godfrey	Leonard	Wilson	
Clark	Graham	Porter	Word	
Cooper	Green	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Archer	Farmer	Jones	Shelton	
Barnett	Givhan	Kendall	Turner	
Caffey	Godfrey	Leonard	Wilson	
Clark	Graham	Porter	Word	
Cooper	Green	Roberts	Wyatt	
deGraffenried				—24
Nays:				—0

The Bill:

H. 312. To amend Section 30½ of the act approved September 20, 1957, regulating the practice of cosmetology (Act No. 653, H. 489, Acts 1957, Vol. II, p. 981), providing that the act shall not apply to any county having a population of not less than 47,000 nor more than 52,000 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Hines	Shelton	
Archer	Gaither	Kendall	Turner	
Barnett	Givhan	Leonard	Wilson	
Berryman	Golson	Porter	Word	
Cooper	Graham	Roberts	Wyatt	
deGraffenried				—24
Nays:				—0

The Bill:

S. 312. To create within any county in this state having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority, and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Samford	
Andrews	Farmer	Hines	Shelton	
Archer	Gaither	Jones	Turner	
Berryman	Givhan	Leonard	Wilson	
Caffey	Godfrey	Porter	Word	
Clark	Graham	Robison	Wyatt	
Crawford				—24
Nays:				—0

The Bill:

S. 329. To amend further Section 11 of Act No. 311, H. 904, approved September 19, 1923 (Local Acts of Alabama 1923, p. 188), entitled "An Act To establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Samford
Andrews	Eddins	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Caffey	Godfrey	Leonard	Wilson
Clark	Golson	Porter	Word
Cooper	Green	Robison	Wyatt
Crawford			—24

Nays: —0

The Bill:

S. 342. Proposing an amendment to the Constitution of Alabama providing for a special tax in Winston County for school purposes.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts
Archer	Dumas	Haltom	Rutledge
Berryman	Eddins	Hines	Shelton
Caffey	Gaither	Jones	Turner
Clark	Givhan	Kendall	Wilson
Cooper	Godfrey	Porter	Word
Crawford			—24

Nays: —0

The Bill:

S. 330. To amend further Section 46 of Title 36 Code of Alabama 1940, as amended, so as to provide that parking lights may exhibit an amber light as well as a white light.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Farmer	Haltom
Archer	Crawford	Givhan	Hines
Barnett	deGraffenried	Godfrey	Jones
Berryman	Dumas	Golson	Kendall
Clark	Eddins	Graham	Leonard

Porter	Samford	Wilson	Word	
Rutledge	Shelton			—25

Nays: —0

The Bill:

S. 327. To fix the compensation of the county solicitor of Sumter County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Hines	Shelton	
Archer	Gaither	Jones	Turner	
Barnett	Givhan	Leonard	Wilson	
Caffey	Godfrey	Porter	Word	
Clark	Golson	Roberts	Wyatt	
Cooper				—24

Nays: —0

The Bill:

S. 343. To provide a chief clerk for the Tax Assessor of Sumter County, Alabama, to regulate and fix his or her compensation and provide for the payment thereof and define his or her duties, and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Hines	Rutledge	
Barnett	Eddins	Jones	Shelton	
Berryman	Gaither	Leonard	Turner	
Caffey	Givhan	Porter	Wilson	
Cooper	Golson	Roberts	Wyatt	
Crawford				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 62. Relative to expressing appreciation and thanks to the Alabama Cattlemen's Association for the beef barbecue given September 9.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

RESOLUTION

Messrs. Givhan, Golson and Wyatt offered the following Senate Joint Resolution, to-wit:

S. J. R. 23. RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Honorable Bill Simmons of Jackson, Mississippi, is cordially invited to present the TV Citizens Council Forum of America to an assembly of the members on Friday, September 25, 1959; that there shall be a joint meeting of the two houses to convene at eleven o'clock a.m., Friday, September 25, for the above stated purpose.

And on motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 36. Providing further for the protection of game; prohibiting the taking, capturing, or killing of deer from a vessel or boat afloat in a navigable stream; providing for the confiscation and forfeiture of any watercraft, together with any firearms found therein, which is so used.

was taken up.

The Standing Committee on Forestry and Conservation reported the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 36

In Section 2, strike the period at the end of the section, insert a comma, and add the following words: except that justices of the peace shall not have jurisdiction in these cases.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:				
Andrews	Cooper	Golson	Porter	
Archer	Crawford	Green	Roberts	
Barnett	deGraffenried	Haltom	Robison	
Berryman	Dumas	Hines	Samford	
Caffey	Eddins	Jones	Wilson	
Clark	Farmer	Kendall	Word	
	Givhan	Leonard		—26

Nays: —0

Mr. Porter offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO S. B. 36

Amend Senate Bill 36 as follows:

In Section 2 of Senate Bill 36, strike the period at the end of the Section and insert a comma and add the following words:

This Act and none of its provisions shall be applicable in any county having a population of not less than 19,000 nor more than 19,200 inhabitants; or counties having a population of not less than 26,400 nor more than 26,700 inhabitants; or having a population of not less than 15,500 nor more than 15,750 inhabitants, according to the last Decennial Federal Census.

Mr. Haltom moved that said amendment be laid on the table, and the motion to table was lost.

Yeas 5; Nays 20.

Yeas: Messrs. Archer, Haltom, Jones, Kendall and Samford. —5

Nays:

Messrs.:	Crawford	Givhan	Leonard
Barnett	Dumas	Golson	Porter
Berryman	Eddins	Graham	Robison
Caffey	Farmer	Green	Wilson
Clark	Gaither	Hines	Word
Cooper			—20

And said amendment offered by Mr. Porter to the Bill, as amended, was then adopted.

Yeas 21; Nays 4.

Yeas:

Messrs.:	Crawford	Graham	Roberts
Andrews	Dumas	Green	Robison
Berryman	Eddins	Hines	Rutledge
Caffey	Farmer	Leonard	Wilson
Clark	Gaither	Porter	Word
Cooper	Golson		—21

Nays: Messrs. Archer, Haltom, Kendall and Samford. —4

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 16; Nays 8.

Yeas:

Messrs.:	Dumas	Givhan	Leonard
Andrews	Eddins	Graham	Robison
Berryman	Farmer	Green	Rutledge
Caffey	Gaither	Kendall	Word
Clark			—16

Nays:

Messrs.:	deGraffenried	Hines	Samford
Archer	Haltom	Jones	Wilson
Cooper			—8

The Bill:

H. 238. To regulate the weighing of livestock at public livestock markets by requiring persons operating scales on which livestock are weighed for sale purposes to obtain an annual permit from the Commissioner of Agriculture and Industries and to be bonded for the faithful performance of their duties; to provide that livestock sold on the basis of weight at livestock markets must be weighed by a person holding a permit under the provisions of this act; to exempt certain persons from this Act; to prescribe liabilities and a penalty for violations of this Act.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Porter	
Andrews	deGraffenried	Green	Robison	
Archer	Dumas	Haltom	Rutledge	
Barnett	Farmer	Hines	Samford	
Berryman	Gaither	Jones	Shelton	
Caffey	Godfrey	Kendall	Wilson	
Clark	Golson	Leonard	Word	
Cooper				—28

Nays: —0

The Bill:

H. 237. Relating to the operation of livestock markets; to amend Section 11 of Act No. 173 (S. 18) of the Legislature of 1951 approved June 29, 1951 (Acts of 1951, Vol. 1, pages 409-415) by authorizing the Commissioner of Agriculture and Industries through appropriate legal proceedings to restrain or enjoin any person from operating a livestock market in violation of said Act.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Robison	
Andrews	deGraffenried	Green	Rutledge	
Archer	Dumas	Haltom	Samford	
Barnett	Eddins	Hines	Shelton	
Berryman	Farmer	Jones	Turner	
Caffey	Gaither	Kendall	Wilson	
Clark	Godfrey	Leonard	Word	
Cooper	Golson	Porter	Wyatt	
				—31

Nays: —0

The Bill:

S. 159. Proposing an amendment to the Constitution of Alabama in relation to the rotation of residence of state senators in senatorial districts composed of two or more counties.

was taken up.

Mr. Wyatt offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 159

In the proposed constitutional amendment, strike out "within the district." and insert "within the district, beginning with the county in the district that has been without a resident senator for the longest period of time, and thereafter the county that has been without such a senator for the next longest period of time."

Which was adopted.

Yeas 31; Nay 1.

Yeas:

Messrs.:	Crawford	Graham	Roberts
Andrews	deGraffenried	Green	Robison
Archer	Dumas	Haltom	Rutledge
Barnett	Eddins	Hines	Samford
Berryman	Farmer	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Clark	Godfrey	Leonard	Wilson
Cooper	Golson	Porter	Wyatt

—31

Nay: Mr. Gaither. —1

And said Bill, as thus amended, was then read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 31; Nay 1.

Yeas:

Messrs.:	Crawford	Graham	Roberts
Andrews	deGraffenried	Green	Robison
Archer	Dumas	Haltom	Rutledge
Barnett	Eddins	Hines	Samford
Berryman	Farmer	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Clark	Godfrey	Leonard	Wilson
Cooper	Golson	Porter	Wyatt

—31

Nay: Mr. Gaither. —1

The Bill:

H. 108. To further amend Act No. 376, approved August 16, 1947 (General Acts of Alabama 1947, page 267) for the purpose of authorizing and empowering the board of directors of any incorporated municipal board to obtain and maintain group life, health, accident and hospitalization insurance for the benefit of certain of its officers and employees, and to provide insured retirement plans for certain of its officers and employees.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Archer	Dumas	Graham	Rutledge
Barnett	Eddins	Green	Samford
Berryman	Farmer	Haltom	Shelton
Caffey	Gaither	Hines	Turner
Clark	Givhan	Jones	Wilson
Cooper	Godfrey	Kendall	Wyatt
Crawford			

—28

Nays: —0

The Bill:

H. 62. To increase the mileage allowance of members of courts of county commissioners, boards of revenue, and other like county governing bodies; amending further Section 28 of Title 12, Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison
Andrews	Farmer	Hines	Samford
Berryman	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Clark	Godfrey	Leonard	Wilson
Crawford	Golson	Porter	Word
deGraffenried	Graham	Roberts	Wyatt
Dumas	Green		

—29

Nays: —0

The Bill:

S. 122. To amend Section 123 of Title 7, Code of Alabama 1940, relating to actions for wrongful act, omission, or negligence causing death.

was taken up.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Crawford, further consideration of the Bills, S. B. 155 and S. B. 156, was indefinitely postponed by the Senate.

MOTION TO RECESS LOST

At 2:30 P. M., Mr. Jones moved that the Senate take a recess until 3:30 this afternoon, which motion was lost.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 422. Relating to Cullman County; providing further for the government of the county by abolishing the Cullman County Com-

mission and creating in lieu thereof a board of revenue; providing for the organization, powers, duties and authority of the board of revenue; prescribing the powers, duties, and authority of the chairman and members of the board, and providing for their election, tenure, qualifications, and compensation; repealing conflicting laws.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 115. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 10, T16N, R18E, Montgomery County, Alabama.

Also:

S. 268. To amend Section 1 of an act approved July 12, 1957, fixing the compensation of the coroner of St. Clair County (Act No. 131, H. 526, Acts of Alabama, Regular Session 1957, Vol. 1, p. 179).

Also:

S. 272. To provide for the establishment and administration of a retirement system; to provide retirement allowances and other benefits for certain employees of the County of Montgomery.

Also:

S. 273. To amend an Act approved by the Legislature of Alabama on July 29, 1947 (Local Acts of 1947, p. 165), as amended; to authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County, but not for elected officials, such amendment to provide for mandatory contributions to said plan by the employees of said County who are employees upon the effective date of this Act.

Also:

S. 278. Relating to Colbert County; fixing the compensation of members of the board of education of Colbert County, and providing for payment of expenses incurred by the members thereof in attending meetings of the board.

Also:

S. 281. To amend Section 4 of the Act of August 11, 1939, which provided for a consolidation of the administration and control of all city and county public school systems in Montgomery County (Act No. 222, H. 462, 1939 Local Acts 125, 126).

Also:

S. 292. To amend Section 339 of Title 62, Code of Alabama 1940, relating to the judges of the fifteenth judicial circuit of Alabama (Montgomery County).

Also:

S. 293. To amend Section 24 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

Also:

S. 295. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 36, Township 16, North, Range 18 East, Montgomery County, Alabama.

Also:

S. 294. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 36, Township 16 North, Range East Montgomery County, Alabama.

Also:

S. 298. Relating to the holding of elections in Hale County; authorizing the court of county commissioners, board of revenue, or other like governing body of Hale County to provide for the purchase, installation, and use of voting machines in all elections held within the county.

Also:

S. 299. To alter, extend and rearrange the boundary lines and corporate limits of the Town of York in Sumter County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Reynolds (Chambers) and McClendon (Chambers):
H. 658. To fix the compensation of the deputy solicitor of Chambers County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA,
COUNTY OF CHAMBERS.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To fix the compensation of the deputy solicitor of Chambers County.

Be It Enacted by the Legislature of Alabama:

Section 1. The compensation of the deputy solicitor appointed for Chambers County shall be an annual salary of two thousand four hundred dollars ($2,400), and shall be payable in equal monthly installments from the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first day of the month next following the date of its enactment. 42-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, Aug. 5, Aug. 12, and Aug. 19, all in the year 1959.

BONNIE HAND.

Sworn to and subscribed before me Aug. 28, 1959.

PEARL H. HAND,
Notary Public.

Also:

By Messrs. Reynolds (Chambers), and McClendon (Chambers):
H. 657. To amend Act No. 496, H. 930, approved September 3, 1953 (Acts of Alabama, 1953, page 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Act No. 496, H. 930, approved September 3, 1953 (Acts of Alabama, 1953, page 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices.

STATE OF ALABAMA,
COUNTY OF CHAMBERS.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 496, H. 930, approved September 3, 1953 (Acts of Alabama, 1953, page 624) entitled "An Act relating to Chambers County: To change the method of compensating certain county officers, placing the officers on a salary, and providing for their assistants, and the office space and equipment necessary for the conduct of their offices," is hereby amended to read as follows:

"Section 2. Whenever the compensation of the Probate Judge, Sheriff, Circuit Clerk, Tax Assessor, and Tax Collector is altered to the salary basis, as provided in Section 1 hereof, the Court of County Commissioners shall provide such officers allowances for the purpose of hiring clerks, assistants, or deputies, as follows:

"(a) In the event that the act regulating purchases for Chambers County becomes effective, the Probate Judge shall be allowed the sum of eleven thousand dollars ($11,000) annually for the employment of clerical assistants, including the chief clerk of the Probate Judge; in the event that the act regulating purchases for Chambers County does not become effective, the Probate Judge shall be allowed the sum of ten thousand four hundred dollars ($10,400) annually for the employment of clerical assistants, including the chief clerk of the Probate Judge. It is provided, however, that in the event that the act regulating purchases for Chambers County becomes effective, the salary of the chief clerk of the Probate Judge shall be four thousand eight hundred dollars ($4,800) annually.

"(b) The Circuit Clerk shall be allowed the sum of three thousand six hundred dollars ($3,600) annually for the employment of clerical assistants, which shall include the compensation of a deputy as provided by H. B. 1008, enacted at the 1955 regular session of the Legislature (Act No. 502, Acts 1955, vol. II, p. 1150).

"(c) The Tax Assessor shall be allowed the sum of three thousand six hundred dollars ($3,600) annually for the employment of clerical assistants.

"(d) The Tax Collector shall be allowed the sum of three thousand dollars ($3,000) annually for the employment of clerical assistants.

"(e) The Sheriff shall be allowed the sum of six thousand three hundred dollars ($6,300) annually for the employment of deputies and other assistants."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 42-3c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie Hand, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, Aug. 5, Aug. 12, and Aug. 19, all in the year 1959.

BONNIE HAND.

Sworn to and subscribed before me Aug. 28, 1959.

PEARL H. HAND,
Notary Public.

Also:

By Messrs. Goodwyn, Pierce, Bailey:

H. 663. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 11, T16N, R18E, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

"A BILL
TO BE ENTITLED
AN ACT"

To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 11, T16N, R18E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the southwest corner of SW¼ of Sec. 11, T16N, R18E, Montgomery County, Alabama, thence N. 84 degrees 21' E a distance of 1321.49' thence N 05 degrees 52' W a distance of 2551.34' more or less, to the south line of U. S. Highway No. 80 (Federal Project No. 216 (5), thence westerly along the south line of said Federal Project No. 216 (5) a distance of 1337.58' more or less to the west line of Sec. 11, T16N, R18E, thence continuing westerly along the south line of Federal Project No. 216 (5) a distance of 240 ft. more or less, to the west property line of Louise and Myles Thornton, thence south along said west property line 340.2', more or less, to the south line of said Thornton property, thence east along the south line of the Thornton property 240 ft., more or less, to the west line of Sec. 11, T16N, R18E, thence S. 06 degrees 11' E along the west line of Sec. 11 a distance of 2229.51 ft. more or less to the point of beginning.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Ala. Jnl June 29, July 6, 13, and 20, 1959

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, Thomas F. Parker, a Notary Public in and for said State and County, personally appeared T. A. Hardy for the "Advertiser Co., Inc.", publishers of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery, and State of Alabama, who being by me first duly sworn, deposes and says that the attached is a true copy of a "Legal Notice" which appeared in the regular editions of the said newspaper published in said City and County of Montgomery on June 29, July 6, July 13, and July 20, 1959.

T. A. HARDY.

Sworn to and subscribed before me, this the 13 day of August, 1959.

THOMAS F. PARKER,
Notary Public.

Also:

By Mr. Harris:
H. 674. Relating to the establishment, construction, reconstruction, repair, and maintenance of roads and bridges in all counties having a population of not less than 41,000 nor more than 47,000, according to the last or any subsequent federal decennial census; providing for a referendum election to determine whether the state or the county will have and exercise jurisdiction, supervision, and control over county roads and bridges.

Also:

By Mr. Sullivan:
H. 670. To amend an act entitled "An act to provide for the election of a County Superintendent of Education for Pickens County, Alabama, by the qualified voters of said county, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers, and duties and to provide for the election of his successor in office."

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend an act entitled "An act to provide for the election of a county superintendent of education for Pickens County, Ala., by the qualified voters of said county, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers and duties and to provide for the election of his successor in office."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of an act entitled "An act to provide for the election of a county superintendent of education for Pickens County, Ala., by the qualified voters of said county, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, power, and duties and to provide for the election of his successor in office", as approved August 27, 1953, and as subsequently amended, be and the same is hereby further amended so as to read as follows:

Section 3. That the salary of the superintendent of education of Pickens County shall be in such amount as shall be directed by the superintendent of education of such county, but in no event to exceed six thousand dollars ($6,000.00 per year, such salary to be fixed prior to the commencement of the term of office of such superintendent. In addition to such salary the Board of Education of such county is hereby authorized, from time to time, to fix, authorize and approve the payment of traveling expenses incurred by the superintendent of education in an amount not to exceed two thousand four hundred dollars ($2,400.00) per annum.

Section 2. All laws or parts of laws, local, special or general, in conflict with the provision of this act are hereby repealed.

Section 3. The provisions of this act are to become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law, provided, however, that the provisions hereof, as they relate to the salary of the officer concerned, shall not become effective until the commencement of the next term of his office following passage and approval of this act. 8-20-3tc

PROOF OF PUBLICATION

THE STATE OF ALABAMA,
PICKENS COUNTY,

Before me, Jack M. Pratt, a Notary Public in and for said County, personally appeared J. Grace Pratt, Publisher of The Pickens County Herald & West Alabamaian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows: Aug. 20, 1959, Aug. 27, 1959, Sept. 3, 1959, Sept. 10, 1959.

J. GRACE PRATT.

Subscribed and sworn to before me, this the 11 day of Sept., 1959.

JACK M. PRATT,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 658, 657, 663, 674 and 670 — to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Phillips:
H. 641. To provide for the appointment of a special constable for each commissioner's district in Choctaw County; prescribing their powers and duties and providing for their compensation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the election or appointment of a special constable for each commissioner's district in Choctaw County, prescribing their powers and duties and providing for payment of their compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. At the next general election of state officers, and every four years thereafter, a special constable shall be elected in and for each commissioner's district of Choctaw County, as defined and prescribed by law. Such constables shall hold office for four years from the first Monday after the second Tuesday in January next following their election, and until their sucessors are elected and qualified; and they shall give bond and take the oath prescribed by law for constables. Such officers shall execute the process of courts within their districts, and shall have all the powers and duties of the sheriff, the constables, and other peace officers of the county, coextensive with the boundaries of their respective districts.

Section 2. The special constables of Choctaw County shall each be entitled to the same fees, percentages, and allowances as the sheriff or constables, for performing like services, when acting in lieu of the sheriff or constable.

Section 3. After this Act takes effect, the Judge of the Inferior Court, the Circuit Solicitor and the County Solicitor of Choctaw County, acting as a board of appointment, shall appoint a constable for each district in Choctaw County, who shall hold office until his successor is elected and qualified as herein provided. Any vacancy occurring in the office shall be filled by appointment by the appointing board for the unexpired term.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Matt L. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 6, August 13, August 20, and August 27, all in the year 1959.

MATT L. BLOUNT.

Sworn to and subscribed before me August 28, 1959.

JANICE W. BLOUNT,
Notary Public.

My Commission Expires Jan. 21, 1962.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 641 — to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution, and returns same herewith to the Senate:

S. J. R. 23. Relating to inviting the Honorable Bill Simmons of Jackson, Mississippi, to address the members of the Legislature on Friday, September 25, 1959.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 202. To create a Commission to plan and direct the commemoration of the centennial of Alabama's part in the War Between the States, as a part of the National Centennial program, as a means of

promoting a better understanding of the heroic and valorous sacrifices of the people of Alabama in this great war for principles which they believed to be true and eternal, and of providing a clearer conception of their contributions to the Confederate cause; to provide for the duties and powers of said Commission; and to make an appropriation thereto.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 309. To provide additional compensation for the register of the circuit court of Butler County, to be paid from the general fund of the county.

Also:

H. 493. To authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance.

Also:

H. 88. To amend further Section 460 of Title 51, Code of Alabama 1940, in relation to the amount of the annual privilege license payable by attorneys.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MOTION TO ADJOURN LOST

At 3:26 P. M., Mr. Eddins moved that the Senate adjourn until 10 A. M. Friday, which motion was lost.

Yeas 16; Nays 17.

Yeas:

Messrs.:	Clark	Gaither	Leonard
Andrews	Cooper	Givhan	Roberts
Barnett	Crawford	Golson	Samford
Berryman	Eddins	Green	Wyatt
Caffey			—16

Nays:

Messrs.:	Dumas	Graham	Jones
Archer	Farmer	Haltom	Kendall
deGraffenried	Godfrey	Hines	Porter

Robison	Shelton	Wilson	Word	
Rutledge	Turner			—17

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 63. Relative to the Biennial Report of the Sixth Legislative Council.

Also:

H. J. R. 64. Relative to extending an invitation to Miss Linda Lee Mead, Miss America of 1960, to attend a session of the Alabama Legislature.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 422. Relating to Cullman County; providing further for the government of the county by abolishing the Cullman County Commission and creating in lieu thereof a board of revenue; providing for the organization, powers, duties, and authority of the board of revenue; prescribing the powers, duties, and authority of the chairman and members of the board, and providing for their election, tenure, qualifications, and compensation; repealing conflicting laws.

Also:

H. 237. Relating to the operation of livestock markets; to amend Section 11 of Act No. 173 (S. 18) of the Legislature of 1951 approved June 29, 1951 (Acts of 1951, Vol. 1, pages 409-415) by authorizing the Commissioner of Agriculture and Industries through appropriate legal proceedings to restrain or enjoin any person from operating a livestock market in violation of said Act.

Also:

H. 238. To regulate the weighing of livestock at public livestock markets by requiring persons operating scales on which livestock are weighed for sale purposes to obtain an annual permit from the Commissioner of Agriculture and Industries and to be bonded for the faithful performance of their duties; to provide that livestock sold on the

basis of weight at livestock markets must be weighed by a person holding a permit under the provisions of this act; to exempt certain persons from this Act; to prescribe liabilities and a penalty for violations of this Act.

Also:

H. 312. To amend Section 30½ of the act approved September 20, 1957, regulating the practice of cosmetology (Act No. 653, H. 489, Acts 1957, Vol. II, p. 981), providing that the act shall not apply to any county having a population of not less than 47,000 nor more than 52,000, according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively and finds same correctly engrossed, to-wit:

S. 36. Providing further for the protection of game; prohibiting the taking, capturing, or killing of deer from a vessel or boat afloat in a navigable stream; providing for the confiscation and forfeiture of any watercraft, together with any firearms found therein, which is so used.

CARL C. GOLSON,
Vice-Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Hain, Jones (Monroe), Hanby, Albea, Ashworth, Bevill, and Smith (Russell):

H. 344. Relating to divorce and alimony; providing that remarriage of the wife bars the right to alimony or allowances for support and maintenance out of the estate of the divorced husband.

Also:

By Mr. Boyd:

H. 665. Relating to criminal procedure; further providing for proof of intent to hinder, delay or defraud creditors who hold a mort-

gage or certain other liens on personal property in certain prosecutions under Sections 363 and 364 of Title 14, Code of Alabama, 1940.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 344 and 665 — to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 61. To amend sections 1, 2, and 3 of Act No. 666, S. 155, approved September 16, 1953 (Acts of Alabama, Regular Session, 1953, p. 923), entitled "An Act To provide for a scholarship program for medical education; and making an appropriation therefor."

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Faulk:
H. 672. To amend Section 2, Item III, A (35) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Massage from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 672 — to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 62. To increase the mileage allowance of members of courts of county commissioners, boards of revenue, and other like county governing bodies; amending further Section 28 of Title 12, Code of Alabama 1940.

Also:

H. 108. To further amend Act No. 376, approved August 16, 1947 (General Acts of Alabama 1947, page 267) for the purpose of authorizing and empowering the board of directors of any incorporated municipal board to obtain and maintain group life, health, accident and hospitalization insurance for the benefit of certain of its officers and employees, and to provide insured retirement plans for certain of its officers and employees.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Brewer:

H. 96. To amend further Section 70 of Title 12, Code of Alabama (1940), which relates to the State's participation in salaries of county engineers.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 96 — to the Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Senate proceeded to further consideration of the Bill:

S. 122. To amend Section 123 of Title 7, Code of Alabama 1940, relating to actions for wrongful act, omission or negligence causing death.

Mr. Andrews then moved that further consideration of the Bill be postponed until the Thirtieth Legislative Day.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the

Journal of the Senate for the Twenty-first Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twenty-first Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:24 P.M., on motion of Mr. Barnett, pending further consideration of S.B. 122, the Senate adjourned until Friday, September 25, 1959, at 10 o'clock A.M.

Yeas 20; Nays 13.

Yeas:

Messrs.:	Crawford	Graham	Samford	
Andrews	Eddins	Green	Shelton	
Barnett	Gaither	Kendall	Wilson	
Berryman	Givhan	Leonard	Word	
Clark	Godfrey	Roberts	Wyatt	
Cooper				—20

Nays:

Messrs.:	Dumas	Hines	Robison	
Archer	Farmer	Jones	Rutledge	
Caffey	Golson	Porter	Turner	
deGraffenried	Haltom			—13

TWENTY-SECOND LEGISLATIVE DAY

FRIDAY, SEPTEMBER 25, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend Robert H. Smith, Pastor, Hunter Station Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	deGraffenried	Graham	Porter	
Andrews	Dumas	Green	Roberts	
Archer	Eddins	Haltom	Robison	
Barnett	Farmer	Hines	Rutledge	
Berryman	Gaither	Jones	Samford	
Caffey	Givhan	Kendall	Shelton	
Clark	Godfrey	Leonard	Turner	
Cooper	Golson	Moses	Wilson	
Crawford				—32

JOURNAL

On motion of Mr. Andrews, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Gaither, leave of absence was granted Mr. Wyatt for today.

On motion of Mr. Moses, leave of absence was granted Mr. Word for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Rutledge:
S. 366. To provide an additional expense allowance to the judge of the Twenty-fifth Judicial Circuit of Alabama.

Committee on Local Legislation.

By Mr. Dumas:
S. 367. To amend Section 19 of Title 42 of the Code of Alabama 1940 as amended by Act 480, General Acts of Legislature of 1955, approved September 9, 1955.

Committee on Judiciary.

By Messrs. Dumas, Kendall and Archer:
S. 368. To confer on certain non-profit hospital corporations the power of eminent domain.

Committee on Judiciary.

By Mr. Graham:
S. 369. To regulate the manner of constructing, improving, maintaining, repairing, and equipping public school buildings in Chilton County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

to be introduced at the 1959 Regular Session of the Alabama State Legislature or any Special Session of the Legislature.

STATE OF ALABAMA
COUNTY OF CHILTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To regulate the manner of constructing, improving, maintaining, repairing, and equipping public school buildings in Chilton County.

Be It Enacted by the Legislature of Alabama:

Section 1. All contracts made by the board of education of Chilton County for the construction of public school buildings, or additions thereto, or for the purchase of equipment therefor when any such purchase involves a sum in excess of eight hundred dollars ($800), shall be let on the basis of written, sealed, competitive bids. In the purchase of such equipment, no undertaking involving sums in excess of eight hundred dollars ($800) shall be split into parts involving sums less than eight hundred dollars ($800) for the purpose of evading the requirements of this Act. All such partial contracts involving less than eight hundred dollars ($800) shall be void. Advertisements for bids shall be given by publication thereof at least one time in a newspaper of general circulation published in Chilton County and also by publication at least one time in a newspaper of general circulation throughout the State. In the event a newspaper of general circulation is not published in the county the publication in a newspaper of general circulation throughout the State shall be sufficient to comply with the requirements of this section. Advertisements for bids shall describe the character of the proposed contract or agreement in sufficient detail to insure that all bidders shall know exactly what their obligations will be either in the advertisement itself or by references to plans and specifications on file with the county board of education at the time of the publication of the advertisement for bids. Advertisements for bids shall state the day, time, and place of opening sealed bids, and no bid shall be received after such indicated time. All bids shall be publicly opened by the board, and all bidders shall be entitled to be present in person or by representative. No bid for the construction of a school building, or any addition thereto, shall be accepted from, and no contract shall be awarded to, any person, firm, or corporation not having been licensed as a general contractor under the laws of this State. Cash, a cashier's check, or a certified check, as a deposit of good faith, in a reasonable amount but not exceeding five percent (5%), of the proposed contract price, shall accompany the sealed proposal of each bidder. All contracts shall be awarded to the lowest responsible bidder. It is provided, however, that the board of education shall have the right to reject any and all bids if the price is deemed excessive or if no responsible bids are received. If all bids are rejected, the board shall advertise again and proceed as before. Bonds for faithful performance of any contract awarded hereunder, with adequate surety shall be required in an amount equal to the amount of the contract.

Section 2. If the total cost of improving, maintaining, and repairing public school buildings in Chilton County in any one year does not exceed the sum of twenty thousand dollars ($20,000) for any one school building, the board of education may utilize the services of regular employees of the board in carrying out such improvement, repair, and maintenance program. In the event the total cost of such improvement, repair and maintenance exceeds the sum of twenty thousand dollars ($20,000) per school building in any one year, the board of education shall award contracts for such improvement, repair, and maintenance on the basis of written, sealed, competitive bids, in the same manner and to the same extend as required in Section 1 of this Act in the construction of public school buildings, or additions thereto, or the purchase of equipment therefor. On or before the first day of June each year, the principal or superintendent of each public school under the jurisdiction and authority of the board of education shall furnish in writing to the board the estimated cost of necessary improvements, repairs, and maintenance to such school during the next succeeding school year.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 36-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 3rd, Sept. 10th, Sept. 17th and Sept. 24th, all in the year 1959.

R. M. TUCKER.

Sworn to and subscribed before me Sept. 24th, 1959.

J. C. Burnett,
Notary Public.

By Mr. Graham:

S. 370. To amend Section 8 of the Act approved September 12, 1951, which established the Board of Revenue and Control of Chilton County (Act No. 872, H. 1118, Acts 1950-1951, vol. II, p. 1505); providing for nomination of each associate member of the board by the voters of his district.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
CHILTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and an application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 8 of the Act approved September 12, 1951, which established the Board of Revenue and Control of Chilton County (Act No. 872, H. 1118, Acts 1950-1951, vol. II, p. 1505); providing for nomination of each associate member of the board by the voters of his district.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 8 of the Act No. 872, H. 1118, approved September 12, 1951, (Acts 1950-1951, vol. II, p. 1050) is hereby amended to read as follows:

"Section 8. Each associate member of the Board shall be a resident and qualified elector of the district for which he is elected, and shall reside in said district continuously during the term of his office. Each member shall be nominated for election by the voters of the district, not by the voters of the county at large."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Union-Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 3, Sept. 10, Sept. 17, and Sept. 24, all in the year 1959.

T. E. WYATT.

Sworn to and subscribed before me September 24, 1959.

JOE G. BURNETT,
Notary Public.

By Mr. Graham:

S. 371. To establish for Chilton County, Alabama a Law and Equity Court; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a Court Reporter for said Court and to fix and prescribe his duties, compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations Jurisdiction; and to abolish the County Court of Chilton County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
CHILTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and an application for its passage and enactment will be made, to-wit:

AN ACT

To Establish for Chilton County, Alabama a law and Equity Court; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a Court Reporter for said Court and to fix and prescribe his duties, compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama and to give said court Juvenile andDomestic Relations jurisdiction; and to abolish the County Court of Chilton County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That there be and hereby is created and established, in and for Chilton County, Alabama a Law and Equity Court which shall be called "Chilton County Law and Equity Court," and which shall be a court of record and which shall have and exercise concurrent jurisdiction, authority, functions and powers now conferred or may be hereafter conferred upon the several Circuit Courts of the State of Alabama, provided however that the Chilton County Law and Equity Court shall not have final jurisdiction to try persons indicted and charged with felonies, nor organize and impanel a Grand Jury. Said Chilton County Law and Equity Court shall have concurrent jurisdiction with the Justices of the Peace in Chilton County, Alabama in all matters whatsoever, including preliminary hearings of persons charged with a felony.

Section 2. That the Honorable J. B. Atkinson, who was elected to the office of the Judge of the County Court of Chilton County, Alabama, and who is now serving as Judge of said County Court of Chilton County, Alabama, shall hold the office and be the Judge of the Chilton County Law and Equity Court created by this Act, until the second Tuesday after the first Monday in January, 1961 and until his successor shall be elected and qualified. A Judge of said Chilton County Law and Equity Court shall be elected by the qualified electors of Chilton County, Alabama, at the general election to be held in 1960 and each four years thereafter and the term of the Judge of said Court shall commence on the second Tuesday after the first Monday in January, following his election and shall continue for a period of four years and until his successor shall be elected and qualified. The Judge of said Court, before entering upon the duties of said office, shall take the oath required by law to be taken by Judges of the Circuit Court of Alabama. That said Judge shall be a qualified elector of Chilton County, Alabama and shall be learned in the law and shall be a member of the Alabama Bar in good standing and shall be not less than 25 years of age. Said Judge shall devote his entire time to the duties of his office and shall be barred from the practice of law during the term of his office. Said Judge may be removed from office in the same manner and for the causes now provided by law for the removal of Circuit Judges.

Section 3. Vacancies in the office of the Judge of said Court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this State.

Section 4. That the Clerk of the Circuit Court of Chilton County, Alabama, shall be Ex-Officio Clerk of the Chilton County Law and Equity Court and shall have the same powers and discharge the same duties as clerks of the Circuit Courts, and shall be subject to the same

pains and penalties with regard to the duties of the office, and shall be entitled to the same fees, commissions and emoluments as are now, or as may hereafter be, allowed to Circuit Clerks of Alabama, except as hereinafter provided, and the same shall be collected as such fees and commissions are collected in the Circuit Courts; except that in civil matters where suit is brought for $100.00 or less only the fees and commissions allowed by law to Justices of the Peace shall be collected; and said clerk shall exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court. That the Register of the Circuit Court in Equity shall be Ex-Officio Register of the Chilton County Law and Equity Court and shall have the powers and discharge the duties which shall devolve upon the Register of the Chilton County Law and Equity Court and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now, or as may hereafter be, allowed to the Register of Circuit Courts in Equity and the same shall be collected as such fees are collected in Circuit Courts.

Section 5. That the Judge of said Chilton County Law and Equity Court shall receive a salary of $7,200.00 per annum, payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 6. That Honorable Lawrence F. Gerald, Deputy Solicitor of Chilton County, Alabama, who was elected to said office at the general election held in 1958, shall be the Solicitor of the Chilton County Law and Equity Court during the term of office for which he was elected at said election, and thereafter the duly elected Deputy Solicitor of Chilton County, Alabama, shall be the solicitor of the said Chilton County Law and Equity Court and all solicitor's fees taxed and collected in said Court shall be paid into the county treasury of Chilton County, Alabama, for the benefit of the general fund of said county.

It shall be the duty of said Solicitor to prosecute all criminal causes pending in said Court, and to assist the Judge of the Court in the handling of Juvenile cases, upon the request of the Judge or the Department of Pensions and Security and for the extra duties required of the Deputy Solicitor he shall be paid $100.00 per month, in addition to the salary now paid him and it shall be the duty of the Board of Revenue and Control of Chilton County, Alabama to pay said extra compensation to the Deputy Solicitor at the end of each month, taking his receipt for the same.

Section 7. That the said Chilton County Law and Equity Court shall be held at the court house of Chilton County, Alabama, and that said court shall be open at all times for the trial of cases and transaction of business. In case of sickness or disqualification of the Judge of said Court, the law applicable to the appointment and service of special Judges in the Circuit Court shall apply, and the special Judge appointed shall receive for his services the same pay that special Circuit Judges receive for their services and the same to be paid out of the general funds of Chilton County, Alabama, on the certificate of the Clerk or the Register making the appointment. The Judge of said Court shall be subject to the same penalties for failure to attend upon the Court as are Circuit Judges of this State. The Judge of said Court shall keep an office in the court house of Chilton County, Alabama, or at such other suitable place as may be provided by the Board of Revenue and Control of Chilton County, Alabama, and it shall be the duty of the Board of Revenue and Control of Chilton County, Alabama, to provide such office and to supply the same with all furnishings, fixtures, library, stationery, telephone and other supplies necessary to enable the Judge of said Court to efficiently conduct the affairs of his office.

Section 8. A session of said Court for the trial of criminal cases shall be held on the first Monday of each month and at such other times as the Judge of said Court may order. A session of said Court for the trial of Non-Jury civil cases shall be held on the second Monday in January, April, July and October of each year. A session of said Court for the trial of Civil Jury cases shall be held on the third Monday in February and October of each year. A session of said Court for the trial of Equity cases shall be held on the fourth Monday in January, April, July and October of each year. The Judge of said court may call a special session for the trial of any cases pending on the dockets of said Court, as is provided or may hereafter be provided by law for the calling of special sessions for the trial of causes in the Circuit Court.

Section 9. In all criminal cases of conviction in said Chilton County Law and Equity Court, the defendant shall have the right of appeal to the Circuit Court of Chilton County, Alabama, on entering into bond, with sufficient surety, to appear at the term of the Court to which the appeal is taken, and from term to term until discharged; the bond to be in such penalty as the Judge of the said Chilton County Law and Equity Court may prescribe, and to be approved by the Judge or Clerk of said Court. If the defendant does not make the bond required he shall remain in custody and said defendant may, within ten days after taking said appeal, demand in said Circuit Court a trial by jury; otherwise, said case shall be tried by the Court without a jury.

Section 10. That the Supreme Court and Court of Appeals of this State shall have appellate and supervisory jurisdiction over said court and the Judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State and the Judge thereof, and appeals may be taken from the decrees, orders and Judgments of said Court, except in criminal cases, to the Supreme Court or Court of Appeals of Alabama in the same manner, and within the same time, as appeals are now taken from the decrees, orders and judgements of the Circuit Courts of Alabama.

Section 11. That the Judge of the Chilton County Law and Equity Court shall draw the petit jury for said court for the trial of civil and equity cases in the same way and manner as juries are drawn in the Circuit Courts for the trial of such cases and in accordance with the law, as provided for drawing petit juries in the several Circuit Courts of Alabama or as may be hereafter provided by law.

Section 12. That any civil and equity cases now or hereafter pending in the Circuit Court of Chilton County, Alabama, may be, by agreement of the parties thereto, transferred from the Circuit Court to the Chilton County Law and Equity Court and any civil or equity cases hereinafter pending in the Chilton County Law and Equity Court may be, by agreement of the parties thereto, transferred from said Chilton County Law and Equity Court to the Circuit Court of Chilton County, Alabama.

Section 13. That the procedures, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the Chilton County Law and Equity Court except as otherwise provided herein.

Section 14. The Sheriff of Chilton County, Alabama, shall in person or by a deputy, or deputies appointed by him, said appointment to be approved by the Judge of said Court, be required to attend upon said Court in preserving order, and execute all writs of process and

perform such other duties, in all respects as in the Circuit Courts of this State, and each deputy required, not exceeding three, for attendance upon said session of said court, shall receive the sum of $3.00 per day, payable out of the county treasury upon the warrant of the judge of said court, provided that such deputies shall not receive pay except for the time that the Court is actually in sesion and none of such compensation to the deputies shall be shared in by the sheriff, and for the service by the sheriff of the process of said court, he shall receive such compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the sheriff for similar services in the Circuit Court, except as herein otherwise provided.

Section 15. That if, for any reason, forfeiture be taken on any bond on the criminal side of said Court, the court may order the alias capias returnable instanter or within ten days, and unless the party or parties against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the Court is hereby authorized and empowered to make the judgment final.

Section 16. That the Judge of the Chilton County Law and Equity Court shall adopt a seal for the law side of the docket of the Chilton County Law and Equity Court which shall be kept in the custody and control of the clerk of the Court.

Section 17. That the Judge of the Chilton County Law and Equity Court shall adopt a seal for the equity side of the docket of the Chilton County Law and Equity Court which shall be kept in the custody and control of the Register of the Court.

Section 18. When the summons, writ of attachment, summons and complaint in attachment, or other process either in law or in equity has been executed on the defendant or service perfected on him, as required by law, the defendent shall appear and plead, answer or demur thereto, within the time now or which hereafter may be, provided by law, in the Circuit Courts of Alabama.

Section 19. That said Chilton County Law and Equity Court shall have exclusive jurisdiction over children and the Judge of said Chilton County Law and Equity Court shall be the Judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Chilton County Law and Equity Court of all juvenile matters and juvenile jurisdiction in Chilton County, Alabama, as now provided under Title 13, Chapter 7, Sections 350 to 383, both inclusive, of the Code of Alabama of 1940, or as hereafter amended and appeals in such cases shall be as provided by law. The Clerk of the Circuit Court is hereby made the Clerk of such Juvenile Court.

Section 20. That this Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, which Article 3 is entitled Desertion and Non-Support. That the trial of such cases shall be by the Court without a jury and appeals in such cases shall be as provided by law. That the Judge of said Chilton County Law and Equity Court shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Chilton County Law and Equity Court of all domestic relations matters arising under Title 34, Article 3, Section 89 to 104 both inclusive

of the Code of Alabama of 1940, as amended or hereafter may be amended.

Section 21. Prosecutions for misdemeanors committed in Chilton County, Alabama may be instituted in the said court by making an affidavit before the Judge of said Court or the Clerk, with the approval of the deputy solicitor, the writ on said affidavit to be issued by the Judge or Clerk of said Court, and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant has been indicted by a grand jury, provided, however, that the affidavit or complaint may be amended, as now provided for amendment or such papers by Section 347, Title 13, of the Code of Alabama of 1940. All affidavits or warrants for criminal or quasi criminal acts, of whatever kind issued by the Justices of Peace of Chilton County, Alabama shall be returnable to this Court.

Section 22. The Judge of said Court shall have power to issue search warrants, writs of habeas corpus, prohibition, certiorari, quo warranto, injunctions, mandamus and all other special and extraordinary writs, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided by law, except as otherwise provided in this Act, shall prevail in the Chilton County Law and Equity Court, and the Judge thereof shall have the same powers and authority, including punishment for contempt as is or hereafter may be conferred upon the judges of the Circuit Courts of Alabama unless otherwise provided in this Act.

Section 23. The Judge of the Chilton County Law and Equity Court shall have the authority and power to appoint a competent court reporter to attend the terms of the Court and report all cases tried in said Court and said court reporter shall be paid out of the General Fund of Chilton County, Alabama a salary of $300.00 per month payable at the end of each month on a certificate and order of the Judge of said Court. The Judge of said court may remove the court reporter, at his will, without assigning any cause for his action in doing so. The court reporter when not actively engaged in the work of the court as court reporter, shall serve as secretary to the Judge of said Court, in his office. In addition to the compensation herein provided, said reporter shall be entitled to tax and collect from the litigants or their attorneys for whom he or she is making a transcript of the evidence, the sum of fifteen cents per hundred words for said transcript and five cents per hundred words for each copy thereof, and when such transcript is made the reporter shall append thereto his or her certificate to the correctness of the same as such official reporter. The court reporter's notes shall be preserved and filed as now provided by law in the Circuit Court.

Section 24. That from and after the passage of this Act all fines and forfeitures assessed and collected in said court shall be deposited in the Fine and Forfeiture Fund of Chilton County, Alabama.

Section 25. That claims accruing in the Chilton County Law and Equity Court will be claims against said fund, and such claims must be paid in the order in which they are registered, as provided by law.

Section 26. It shall be the duty of the clerk of said Court to keep a record upon which shall be recorded all affidavits made before the Judge or Clerk of said Court, or returnable by a justice of the peace or judge of an Inferior Court in said County, to said Court

and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be used the same, as the original affidavit and for recording each of said affidavits, the clerk shall receive a fee of seventy-five cents to be taxed as costs in case the defendant's conviction.

Section 27. Judgements or decrees rendered by the Chilton County Law and Equity Court shall be a lien on the property of the judgment debtor which is subject to levy and sale under execution in the same manner and for the same period of time as it is now, or as hereafter may be, provided by law for courts of record of this state upon the filing in the office of a Judge of Probate of a certificate of the said judgment or decree issued by the Clerk or Register of the said Court as it now or as hereafter may be, provided by law; and the said judgment or decree may be revived in the manner now, or as hereafter may be provided by law.

Section 28. The venue of any case in the said Chilton County Law and Equity Court may be changed to other counties as it is now, or at it hereafter may be, provided by law for the several Circuit Courts of like jurisdiction.

Section 29. That final judgments rendered in said court shall, after the expiration of thirty days from their rendition, be taken and deemed to have passed beyond the control of said court, as if the term of court at which judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days or change or destroy the office of motion for new trials or rehearings, when so made, or shall prevent parties from applying to the court for rehearing under statutes authorizing applications for rehearing in the Circuit Court.

Section 30. That there shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collecting solicitor's fees in the Circuit Court, and when collected shall be paid into the treasury of Chilton County, Alabama.

Section 31. That the County Court of Chilton County, Alabama, as created by Act No. 403, 1955 Legislature, page 941, and the County Court of Chilton County, as created by Chapter 6, Title 13, of 1940 Code of Alabama, be and the same is hereby abolished, and from and after the passage of this Act shall no longer exist and no officers of this state shall collect any fees or salaries, because of said courts, or for service rendered in said courts, and all cases pending in the County Court of Chilton County, Alabama, as created by said Act No. 403, 1955 Legislature of Alabama, when this Act becomes a law, shall immediately become pending upon the docket of the Chilton County Law and Equity Court, as though originally brought in said Court, and shall be called for trial, as above provided, provided however, that in all civil cases transferred from the County Court of Chilton County to the Chilton County Law and Equity Court that the plaintiff, defendant, claimant, or any party interested, or his attorney of record shall have the right, within 30 days from the effective date of this Act, to file with the Ex-Officio Clerk a demand, in writing, for a jury trial of the issues of fact in said cause, and all judgments and decrees heretofore rendered in the County Court of Chilton County, Alabama, and pending in said County Court shall be transferred to the Chilton County Law and Equity Court and said Chilton County Law and Equity Court shall have the same powers and control over such judgments and decrees and shall issue execution and other

processes thereon in all respects as if the judgment and decree had been originally rendered in the Chilton County Law and Equity Court.

Section 32. That a trial tax of three dollars ($3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said Chilton County Law and Equity Court, to be taxed and collected as other costs, and when collected, to be paid by the Clerk or Register of said Chilton County Law and Equity Court, into the general funds of the county as other costs, provided, however, that in civil cases at law where the amount involved is Fifty Dollars or less, a trial tax fee of only $1.00 shall be imposed and collected, provided further that in all criminal cases where the defendant is charged with violating any of the provisions of Title 36 of the 1940 Code of Alabama and pleads guilty, no trial tax shall be imposed or collected.

Section 33. Witnesses summoned and attending the Chilton County Law and Equity Court shall be entitled to the same per diem and mileage as are paid witnesses in the Circuit Court of Chilton County, Alabama, and also witnesses summoned for the State in preliminary hearings shall be paid in the same manner as State witnesses are paid in the Circuit Court.

Section 34. That the Ex-Officio Clerk of the Chilton County Law and Equity Court shall receive as ex-officio fees for ex-officio duties performed as clerk of the Chilton County Law and Equity Court the same amount which he is paid by the Circuit Court as provided by Title 11, Section 4, 1940 Code of Alabama, as amended. Such sum to be paid in twelve monthly installments out of the General Fund of Chilton County, Alabama.

Section 35. That the Clerk and Register, with the approval of the Judge of said Court, are hereby authorized and required to purchase all necessary furnishings, records, stationery and supplies for the equipment and maintenance of said court, and the same shall be paid out of the county treasury upon warrants drawn by the Judge and signed by the Clerk.

Section 36. That if, for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, that fact shall not destroy the constitutionality of this Act except as to that cause or section.

Section 37. That all laws in conflict with this Act are hereby repealed.

Section 38. That this Act shall become effective immediately upon its passage and approval by the Governor. 9-3-4tch

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Union-Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 3, Sept. 10, Sept. 17, and Sept. 24, all in the year 1959.

T. E. WYATT

Sworn to and subscribed before me September 24, 1959.

JOE G. BURNETT
Notary Public

By Messrs. Turner, Moses, Golson, Crawford, Farmer, Clark, Kendall, Jones, Givhan and Graham:

S. 372. To regulate the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower and herb seeds; to prevent misrepresentation thereof; to require seed dealers engaged in the sale of seed to obtain an annual permit from the Department of Agriculture and Industries and to levy and prescribe the amount of the annual permit fee; to give the State Board of Agriculture and Industries authority to promulgate rules and regulations for the purpose of carrying out the provisions of this Act; to repeal all laws in conflict with this Act, including Act. No. 560 of the Legislature of 1943, approved July 9, 1943, as amended; to make the violation of any of the provisions of this Act a misdemeanor and to prescribe the punishment therefor; and for other related purposes including other administrative and enforcement provisions.

Committee on Judiciary

By Messrs. Samford and Hines:

S. 373. To establish the validity of bequests and devises made by will to the trustee or trustees of an existing trust.

Committee on Judiciary

By Messrs. Samford and Hines:

S. 374. To permit executors, administrators and trustees to acquire, hold and dispose of interests in partnerships and to form new partnerships, both general and limited, in a fiduciary capacity, and to limit the liability of such executors, administrators, and trustees so acting to the assets of such estate or trust.

Committee on Judiciary

By Mesrs. Farmer, Crawford, deGraffenried, Berryman, Moses, Golson and Barnett:

S. 375. Relating to the sale of livestock; making it a misdemeanor for any person to sell, offer for sale, buy or offer to buy livestock on public property within five thousand (5,000) feet of a public livestock market and to provide for enforcement.

Committee on Judiciary

By Mr. Eddins:

S. 376. Relating to the fees and compensation of coroners; amending Sections 94 and 95 of Title 11, Code of Alabama 1940.

Committee On Finance And Taxation

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Webb:

S. 355. To amend Section 587 of Title 37, Code of Alabama (1940) which relates to appeals from Recorder's Court.

By Mr. Turner:
S. 362. To amend Section 342 of Title 15, Code of Alabama (1940), in relation to hard labor sentences for nonpayment of court costs.

By Mr. Meade et al:
H. 345. To amend Section 380, Title 51, Code of Alabama 1940, in relation to the recognition of gain or loss for state income tax purposes on property involuntarily converted as a result of condemnation; giving the amendment retroactive effect.

My Mr. Martin:
H. 591. To permit the use of facsimile signatures on bonds, warrants, notes, and certificates issued by any county, municipality, board of education, or public corporation in this state, the use of facsimile signatures thereupon in any instance where authentication, certification of validation or registration, or other certification is required or permitted to be recorded thereon, and the reproduction in facsimile of any seal required or permitted to be affixed or impressed thereon.

By Mr. Martin:
H. 592. To amend Section 107 of Title 12 of the Code of Alabama of 1940 so as to provide for the execution of bonds of counties by any two or more officers designated for that purpose by the governing body of the county, and so as to permit the use of facsimile signatures and seals in the execution of such bonds.

By Mr. Boyd:
H. 665. Relating to criminal procedure; further providing for proof of intent to hinder, delay or defraud creditors who hold a mortgage or certain other liens on personal property in certain prosecutions under Sections 363 and 364 of Title 14, Code of Alabama, 1940.

Mr. Jones, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris:
H. 214. To propse an amendment to the Constitution providing for the levy and collection of an additional property tax for educational purposes in DeKalb County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Pruitt et al:
H. 133. Relating to Department of Revenue, to authorize and direct the Commissioner of the Department of Revenue to allow a discount of two per cent (2%) on the first $5,000.00 of tax paid to the state and of one per cent (1%) on all amounts of tax paid in excess of $5,000.00, not exceeding $200.00 in any one calendar month to licensed and bonded refiners, storers, distributors, or wholesalers

of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

By Mr. Hanby:
H. 394. To amend Title 53, Section 3, Code of Alabama 1940; to provide for the appointment of an Assistant Securities Commissioner, to define his duties and privileges, and to provide when this act shall become effective.

By Messrs. Cooper and Porter:
S. 354. To amend Section 1 of Act No. 296, page 493, 1945 General Acts of Alabama, approved July 7, 1945, entitled "An Act To amend Section 55 of Title 8 of the Code of Alabama 1940" which pertains to the fees of arresting officers in game and fish cases.

By Messrs. Wilson and Eddins:
S. 350. To make an appropriation from the state treasury for the relief of Hallie S. Chapman.

By Messrs. Eddins, Rutledge, Crawford, Gaither, Givham, Andrews, deGraffenried, Graham, Kendall, Leonard, Wyatt, Turner, Golson, Clark and Word:
S. 365. To create the position of Chief Engineer in the State Highway Department; to provide for his appointment, qualifications, duties, responsibilities and salary; and to provide for the effective date of this Act.

By Messrs. Rutledge and Turner:
S. 341. To amend Section 13 of Act No. 492, H. 778, approved September 30, 1947, an act relating to and regulating contracts for public works (General Acts 1947, pp. 338, 342), in relation to the legislative definition of the term "awarding authority" within the meaning of said Act.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, it was read a second time and placed on the calender, to-wit:

By Messrs. deGraffenried, Givhan, Rutledge, Crawford, Roberts, Clark, Graham, Kendall, Turner, Andrews and Wilson (With Substitute):
S. 248. Providing for the relocation of utility facilities when necessitated by Federal-aid highway system projects; providing for the payment of the costs of such relocations by the State as highway construction costs; prescribing the powers and duties of the state highway director in regard thereto; providing for the method of paying or reimbursing said utilities; and repealing all conflicting laws.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placd on the calendar, to-wit:

By Mr. Givhan:
S. 345. To make an appropriation to the Cahaba Historical Commission.

By Mr. Kendall:
S. 242. To provide for the support, operation and maintenance of the Alabama Wing, Civil Air Patrol; making appropriations for such purpose.

By Messrs. Hocklander and Murphy:
H. 459. To amend further Section 254 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of deputy circuit solicitors of the thirteenth judicial circuit.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar to-wit:

By Mr. Barnett (with notice and proof):
S. 270. To dissolve the municipal corporation of Daleville, Dale County, revoke its charter, and provide for the disposition of its property and payment of its debts.

By Mr. Godfrey (with notice and proof):
S. 358. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing, or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

By Mr. Bishop (with notice and proof):
H. 530. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

By Messrs. Hardy, Hain and Gilmer:
H. 577. To authorize all cities in the State of Alabama having a population exceeding 20,000 and not exceeding 23,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to

cover the liabilities on account of benefits payable under the ordinances, except that the provisions of this act shall not be applicable to any retirement system heretofore established by local act of the Alabama Legislature on the basis of an interest rate not in excess of four per centum per annum, and mortality disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

By Messrs. Johnson (Hardaway) and Johnston (Leonard) (with notice and proof):

H. 579. To repeal the local act approved July 29, 1955, entitled "An Act relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices, (Act No. 171, H. 413, Acts 1955, vol. I, pp. 436-437).

By Mr. Phillips (with notice and proof):

H. 641. To provide for the appointment of a special constable for each commissioner's district in Choctaw County, prescribing their powers and duties and providing for their compensation.

By Messrs. Goodwyn, Pierce, and Bailey (with notice and proof):

H. 663. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 11, TI6N, R18E, Montgomery County, Alabama.

By M. Sullivan (with notice and proof):

H. 670. To amend an act entitled "An Act to provide for the election of a County Superintendent of Education for Pickens County, Alabama, by the qualified voters of said county, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers, and duties and to provide for the election of his successor in office."

By Mr. Harris:

H. 674. Relating to the establishment, construction, reconstruction, repair, and maintenance of roads and bridges in all counties having a population of not less than 41,000 nor more than 47,000, according to the last or any subsequent federal decennial census; providing for a referendum election to determine whether the state or the county will have and exercise jurisdiction, supervision, and control over county roads and bridges.

Mr. Shelton, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Caffey:

S. 201. To amend Act Number 178, passed by the 1949 Legislature, so as to cause it to read as follows: AN ACT to promote education in this state by authorizing and empowering county governing bodies and the governing bodies of the municipalities in the State of Alabama to undertake research into the history of the State of Alabama, its several counties and municipalities, its coastline and boundaries, and of the territory included therein, its geological deposits, agricultural and marine data, its rivers, streams and harbors, its history from the earliest times and especially during the colonial period, A. D. 1519 to A. D. 1815, and such general historical data and information and to effect the completion of the translations of such data and information, where such old official records are in foreign languages, and to effect the publication of these records for the free distribution to public libraries, school libraries and to college and university libraries within this state for the further diffusion of knowledge in reference to the history and resources of the State of Alabama and its several counties and municipalities and the encouragement in general of historical work and research into colonial records of the State of Alabama and for the free dissemination of such information, to authorize and empower county governing bodies and the governing bodies of the municipalities to make appropriations of county funds and of municipal funds for such purpose; to empower, county governing bodies and the governing bodies of the municipalities to enter into contracts with historical corporations, foundations or associations which are duly incorporated within this State in order to carry out the purpose of this Act.

By Mr. Harvey et al:

H. 413. Relating to The Alabama Polytechnic Institute, a public corporation; changing the name of such institution to Auburn University.

Mr. Crawford, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Crawford, Clark and Golson:

S. 357. To authorize and encourage joint action and cooperation between cattle raisers, cattle dealers and other handlers of cattle for the purpose of stabilizing, protecting, and promoting the cattle and beef industry in Alabama; recognizing the Alabama Cattlemen's Association as the representative and agent of the cattlemen of the state for the purpose of initiating and conducting certain programs designed to stabilize, protect and promote the cattle industry; authoriz-

ing providing for and regulating the levying and collection of assessments on sales of cattle to provide funds to finance such programs; placing certain duties relative to such assessments on the commissioner and the department of agriculture and industries; providing for a refund of any assessment collected under authority of this act to any cattleman who is dissatisfied with the levy thereof; and prescribing penalties.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Andrews:

S. 118. To provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections.

By Mr. Andrews:

S. 142. To regulate further elections in the cities and towns of this state; Authorizing, regulating, and providing for the holding of municipal primary elections for the purpose of nominating candidates of political parties for municipal offices.

By Mr. Andrews:

S. 143. To provide for and regulate elections in the cities and towns of this state which have a commission form of government: designating the date for regular elections, and authorizing the board of commissioners to call special elections; prescribing the manner of giving notice of municipal elections, of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for absentee voting at such elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections.

Mr. Clark, Vice-Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar to-wit:

By Messrs. Jones, Moses, Farmer, Graham, Archer, Berryman, Givhan, Wilson, Clark, Kendall, Barnett, Shelton, Turner, Golson, Hines, Wyatt, Green and Crawford:

S. 240. To regulate further the production, processing, distribution, sale, and keeping for sale of milk and milk products; to authorize and require the state board of health and the state committee of public health to prescribe health and sanitary standards and requirements for milk and milk products which shall apply throughout the State; to require that all milk and milk products produced, processed, distributed and otherwise handled in this State shall conform thereto; to provide that the method of inspecting, testing and grading milk and milk products shall be prescribed by the state board of health, and shall be uniform throughout the State; to prescribe, define, and delineate the authority, powers, and duties of the state board of health and of county or municipal boards of health or health officers, respectively, relative to milk and milk products; and to authorize the state board of health to promulgate and enforce rules and regulations to carry out the provisions of this Act.

By Mr. Bevill et al:

H. 157. To define and prohibit the practice of naturopathy in the State of Alabama, designating such offense as a misdemeanor, and voiding all licenses to practice naturopathy.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution, with the original Senate Bills and Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. 115. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 10, T16N, R18E, Montgomery County, Alabama.

Also:

S. 202. To create a Commission to plan and direct the commemoration of the centennial of Alabama's part in the War Between the States, as a part of the National Centennial program, as a means of promoting a better understanding of the heroic and valorous sacrifices of the people of Alabama in this great war for principles which they believed to be true and eternal, and of providing a clearer conception of their contributions to the Confederate cause; to provide for the duties and powers of said Commission; and to make an appropriation thereto.

Also:

S. 268. To amend Section 1 of an act approved July 12, 1957, fixing the compensation of the coroner of St. Clair County (Act No. 131, H. 526, Acts of Alabama, Regular Session 1957, Vol. 1, p. 179).

Also:

S. 272. To provide for the establishment and administration of a retirement system; to provide retirement allowances and other benefits for certain employees of the County of Montgomery.

Also:

S. 273. To amend an Act approved by the Legislature of Alabama on July 29, 1947 (Local Acts of 1947, p. 165), as amended; to authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County, but not for elected officials, such amendment to provide for mandatory contributions to said plan by the employees of said County who are employees upon the effective date of this Act.

Also:

S. 278. Relating to Colbert County; fixing the compensation of members of the board of education of Colbert County, and providing for payment of expenses incurred by the members thereof in attending meetings of the board.

Also:

S. 292. To amend Section 339 of Title 62, Code of Alabama 1940, relating to the judges of the fifteenth judicial circuit of Alabama (Montgomery County).

Also:

S. 293. To amend Section 24 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

Also:

S. 294. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

S. 295. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 36, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

S. 298. Relating to the holding of elections in Hale County; authorizing the court of county commissioners, board of revenue, or other like governing body of Hale County to provide for the purchase, installation, and use of voting machines in all elections held within the county.

Also:

S. 299. To alter, extend and rearrange the boundary lines and corporate limits of the Town of York in Sumter County, Alabama.

Also:

S. J. R. 23. Inviting the Honorable Bill Simmons to present the TV Citizens Council Forum to the Legislature.

HUGH MOSES
Chairman

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the title of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 61. To amend sections 1, 2, and 3 of Act No. 666, S. 155, approved September 16, 1953 (Acts of Alabama, Regular Session, 1953, p. 923), entitled "An Act To provide for a scholarship program for medical education; and making an appropriation therefor."

Also:

S. 281. To amend Section 4 of the Act of August 11, 1939, which provided for a consolidation of the administration and control of all city and county public school systems in Montgomery County (Act No. 222, H. 462, 1939 Local Acts 125, 126).

HUGH MOSES,
Chairman

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Thomas, Lee, Cornett, Torbert, McLendon (Bullock), Powell, Adams (Houston), Rogers, Turnham, Chambers, Solomon, Reynolds (Chambers), McClendon (Chambers), Smith (Russell).

H. 631. To authorize the Governor to enter into agreements of reciprocity with Conservation Commissioners and other proper officials of adjoining states concerning the hunting of waterfowl on waters lying between said states.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

HB 631. to the Committee on Forestry and Conservation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Goodwyn, Adams (Tallapoosa), Bevill, Shumate, Bishop, Broadfoot, Long (Lauderdale), Gross, Callahan, Cabiness, and Copeland:

H. 430. To repeal subsection H. of Section 214, Title 26, Code of Alabama 1940, which relates to a disqualification for benefits under the unemployment compensation act (5 Code of Alabama 1955 Cumulative Pocket Part 265).

Also:

By Messrs. Goodwyn, Callahan, Speaks, Roberts, Broadfoot, Bishop, Shumate, Branyon, Copeland, Ashworth, Hanby, Albea, Trimmier, Hocklander, Murphy, Phillips, Pierce, Merrill, Bevill, Steagall:

H. 377. To amend Section 181 of Title 26, Code of Alabama 1940, to provide for the exercise by the director of unemployment compensation of the powers and duties of the director of industrial relations, in so far as they pertain to unemployment compensation, during the interim in which there is no duly appointed and qualified director of industrial relations.

Also:

By Messrs. Goodwyn, Callahan, Speaks, Roberts, Broadfoot, Bishop, Shumate, Branyon, Copeland, Ashworth, Hanby, Albea, Trimmier, Hocklander, Murphy, Phillips, Pierce, Merrill, Bevill, and Steagall:

H. 378. To amend Section 207, Title 26, Code of Alabama 1940, as last amended, the same pertaining to weekly unemployment benefit amounts for unemployment.

Also:

By Messrs. Goodwyn, Callahan, Speaks, Roberts, Broadfoot, Bishop, Shumate, Branyon, Copeland, Ashworth, Hanby, Albea, Trimmier, Hocklander, Murphy, Phillips, Pierce, Merrill, Bevill, and Steagall:

H. 379. To amend Section 209, Title 26, Code of Alabama 1940, as last amended, to provide for determining the maximum duration of unemployment compensation benefits in accordance with fluctuating economic conditions by adding twenty-five per cent (25%) or fifty per cent (50%) to the maximum duration for an individual who exhausts all benefits to which he was otherwise entitled under this chapter during a period in which more than 5.%, or more than 8.%, respectively, of the workers covered by this chapter are unemployed and claiming benefits.

Also:

By Messrs. Goodwyn, Callahan, Speaks, Roberts, Broadfoot, Shumate, Branyon, Copeland, Ashworth, Hanby, Albea, Trimmier, Hocklander, Murphy, Phillips, Pierce, Merrill, Bevill, and Steagall:

H. 380. To amend Section 289 of Title 26, Code of Alabama 1940, as last amended, the same relating to limitations on compensation under the Workmen's Compensation Law.

Also:

By Messrs. Goodwyn, Callahan, Speaks, Roberts, Broadfoot, Bishop, Shumate, Branyon, Copeland, Ashworth, Hanby, Albea, Trimmier, Hocklander, Murphy, Phillips, Pierce, Merrill, Bevill, and Steagall:

H. 381. To amend Section 8 of Title 26, Code of Alabama 1940, as last amended, the same relating to the Board of Appeals for the Alabama Department of Industrial Relations.

Also:

By Messrs. Goodwyn, Callahan, Speaks, Roberts, Broadfoot, Cates, Bishop, Shumate, Branyon, Copeland, Ashworth, Hanby, Albea, Trimmier, Hocklander, Murphy, Phillips, Pierce, Merrill, Bevill, and Steagall:

H. 382. To amend Sections 344, 347, 349, 353, 354, 357, 362, 363, 365, 366, and 367, of Title 26, Code of Alabama 1940, as last amended; and to repeal Section 364, of Title 26, Code of Alabama 1940.

Also:

By Messrs. Goodwyn, Callahan, Speaks, Roberts, Broadfoot, Cates, Bishop, Shumate, Branyon, Copeland, Ashworth, Hanby, Albea, Trimmier, Hocklander, Murphy, Phillips, Pierce, Merrill, Bevill, and Steagall:

H. 383. To amend Section 251 of Title 26, Code of Alabama 1940, as last amended, the same relating to penalties for violations of the Unemployment Compensation Law.

Also:

By Messrs. Goodwyn, Callahan, Speaks, Roberts, Broadfoot, Bishop, Shumate, Branyon, Copeland, Ashworth, Hanby, Albea, Trimmier, Hocklander, Murphy, Phillips, Pierce, Merrill, Bevill, and Steagall:

H. 384. To amend Sections 202 and 204, Title 26, Code of Alabama, 1940, as last amended, the same pertaining, respectively, to contributions by employees, and experience rating and contributions by employers.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

HB's 430, 377, 378, 379, 380, 381, 382, 383 and 384 — to the Committee on Immigration, Industrial Resources and Labor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Speaker Adams and all Members of the House:

H. J. R. 66. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we are deeply grieved over the great loss suffered by our gentle friend and colleague, Wiley Salter of Conecuh County, in the sad and untimely death of his loving wife and the proud mother of his infant child. We extend to him deepest sympathy in his sorrow, and mourn with him the passing of his departed companion.

BE IT FURTHER RESOLVED That the Clerk of the House be directed to transmit a copy of this Resolution to Representative Salter.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Kendall, the Rules were suspended and the Senate concurred in and adopted the Resolution, H. J. R. 66, set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twenty-second Legislative Day was approved by the Senate.

ADJOURNMENT

At 11 o'clock A.M., on motion of Mr. Cooper, the Senate adjourned until Tuesday, September 29, 1959, at 1 o'clock P.M.

Yeas 19; Nays 9.

Yeas:

Messrs.:	Cooper	Golson	Leonard	
Andrews	Crawford	Graham	Moses	
Barnett	Eddins	Green	Porter	
Caffey	Gaither	Haltom	Roberts	
Clark	Godfrey	Kendall	Samford	
				—19

Nays:

Messrs.:	deGraffenried	Hines	Robison	
Archer	Dumas	Jones	Shelton	
Berryman	Farmer			—9

TWENTY-THIRD LEGISLATIVE DAY

TUESDAY, SEPTEMBER 29, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend William J. Lineback, Minister, First Christian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	deGraffenried	Green	Roberts
Andrews	Dumas	Haltom	Robison
Archer	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford	Graham		—33

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Turner, leave of absence was granted Mr. Rutledge for today.

On motion of Mr. Moses, leave of absence was granted Mr. Word for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Andrews:

S. 377. To extend, alter and rearrange the boundary and corporate limits of the City of Union Springs, in Bullock County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

NOTICE IS HEREBY GIVEN THAT DURING THE REGULAR SESSION OF THE 1959 LEGISLATURE THERE WILL BE INTRODUCED THE FOLLOWING BILL:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary and corporate limits of the City of Union Springs, in Bullock County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the corporate limits of the City of Union Springs, in Bullock County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said City all of the following adjacent territory:

Beginning at a point on the East line of the corporate limits of the City of Union Springs, Alabama, where the Half Section Line which runs East and West through Section 35, Township 14 North, Range 23 East, intersects the said corporate limits and run thence East along the said Half Section line to the North East corner of the SE¼ of said Section 35, thence East along the Half Section line 1443 feet to a point, thence South to the South Section Line of Section 36, Township 14 North, Range 23 East, thence South 1320 feet, thence West to the East corporate limits of the said City of Union Springs, Alabama, thence in a Northerly direction along said corporate limits of said City to the point of beginning of the lands hereinabove described lying partly in Section 35 and 36 of Township 14, Range 23 and partly in Sections 1 and 2 of Township 13, Range 23, in Bullock County, Alabama.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA,
BULLOCK COUNTY

Before me, Ruby M. Garner, a Notary Public in and for said State and County, personally appeared Wm. H. Garner, Publisher of the Union Springs Herald, a newspaper published at Union Springs, Bullock County, Alabama, who being duly sworn states on oath that he published a legal notice, a bill to be entitled an act, to extend, alter and rearrange the boundary and corporate limits of the City of Union Springs, Ala., a true copy of which is attached hereto, was published in said newspaper for 4 consecutive weeks, in its issues of Aug. 27, 1959, Sept. 3, 1959, Sept. 10, 1959, Sept. 17, 1959.

WM. H. GARNER,
Publisher.

Sworn to and subscribed before me this 28 day of Sept., 1959.

RUBYE M. GARNER,
Notary Public.

By Mr. Caffey:

S. 378. To provide for the reimbursement to Mobile County of certain sums erroneously paid by the tax collector of such county into the state treasury instead of the treasury of Mobile County; and to make an appropriation for this purpose.

Committee on Finance and Taxation.

By Mr. Leonard:

S. 379. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega

County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the judge of probate, tax assessor, tax collector, sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties; and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistance, equipment, and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the judge of probate, tax assessor, tax collector, sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties; and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistance, equipment, and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Talladega County, in its discretion, may provide a branch office in the City of Sylacauga for the use of the judge of probate, tax assessor, tax collector, sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of official duties. The county governing body shall adopt rules and regulations governing the operation of such branch offices, including the period or periods of time each year during which any of such branch offices shall remain open and in operation, and shall furnish such office space, clerical assistance, equipment, and supplies as may be necessary for the proper and efficient operation of such branch offices. All expenses incurred under the provisions of this Act in the establishment and operation of such branch offices shall be paid out of the general fund of the county on warrants drawn in the manner prescribed by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County William A. Moody, who being duly sworn according to law deposes and says that he is the Publisher of the Sylacauga Advance a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: July 30, 1959, August 6, 1959, August 13, 1959, August 20, 1959.

W. A. MOODY.

Subscribed and sworn to before me this 1 day of Sept., 1959.

JOE J. PHILLIPS,
Notary Public.

By Mr. Andrews:

S. 380. To amend further Section 325 of Title 15, Code of Alabama 1940, which relates to legal punishment.

Committee on Judiciary.

By Mr. Andrews:

S. 381. To amend Sections 181 and 183 of Title 15, 1940 Code of Alabama, relating to removal of prisoners arrested in one county and triable in another county.

Committee on Judiciary.

By Mr. Kendall:

S. 382. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Committee on Finance and Taxation.

By Mr. Turner:

S. 383. Relating to schools; to provide for the appointment of county superintendents of education in the several counties of the state by the county boards of education, and repeal conflicting general, special and local laws providing for the election of such officers.

Committee on Education.

By Mr. Caffey:

S. 384. To authorize the department of conservation to pay from funds appropriated or available to it the state's share of the operating expenses of the Gulf States Marine Fisheries Commission.

Committee on Finance and Taxation.

By Messrs. Dumas, Porter, Haltom, Webb, Farmer, Jones, Hines, Samford, Archer, deGraffenried, Turner and Andrews:

S. 385. To provide for the taking of depositions of witnesses and parties upon oral examination for discovery or for use as evidence; to prescribe the scope of such examination, the use of such depositions, and the effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; to prescribe the penalties for failure of such person to appear for such examination; to regulate and conform practice and procedure with respect to such examinations and depositions; to make said examinations and depositions available to litigants in suits in equity; to validate certain depositions taken under pre-existing law; and to repeal conflicting statutes and rules of practice.

Committee on Judiciary.

By Mr. Dumas:
S. 386. To amend Section 97, Title 17, Alabama Code of 1940, relating to requirements for voting machines.

Committee on Judiciary.

By Mr. Dumas:
S. 387. To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given to apply at the current regular session or any special session of the Legislature of Alabama, for introduction and passage of a bill the substance of which, as distinguished from details, is and will be in substance, as distinguished from detail, as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1, That, from and after the passage and approval of this Act the boundary lines of the City of Homewood, Jefferson County, Alabama, be and the same are altered and re-arranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory lying and situated in Jefferson County, Alabama, contiguous to said City, more particularly described as follows:

All that part of the NW¼ of the SW¼ of Section 17, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, which lies Southeast of Shades Creek and East of the right-of-way of the Montgomery Highway as described in deed to Jefferson County recorded in Vol. 3082, Page 147, in the Office of the Judge of Probate of said County; also all that part of the NE¼ of the SW¼ of Section 17 Township 18 South, Range 2 West, which lies Southeast of Shades Creek and Southwest of the Smyer Road.

Also, all that part of the South Half of the SW¼ of Section 17, Township 18 South, Range 2 West, which lies North of the northerly right-of-way line of Alabama Power Company transmission line. Also a triangular parcel of land in the SE¼ of SE¼ of Section 18, Township 18 South, Range 2 West, lying North of the Alabama Power Company's right-of-way, West of the East line of Section 18, Township 18 South, Range 2 West and Southeast of the New Montgomery Highway except that part of said parcel heretofore deeded to Jefferson County, 2.2 acres, more or less and being the same land conveyed on August 4, 1955 by John G. Burton, Hampton C. Hopkins, Ray Frank

Robbins, et al to Cherokee Land Company, Inc., which deed is filed in Vol. 5431, Page 323, Record of Deeds in the Probate Office of Jefferson County, Alabama.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said State, personally appeared Mary B. Wheeler who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of August 15, 22, 29, Sept. 5, 1959, a legal notice, a copy of which is hereto attached.

MARY B. WHEELER,
Co-Publisher.

Sworn and subscribed to on this the 22 day of September, 1959.

SARA WHEELER,
Notary Public.

REPORTS OF COMMITTEES

Mr. Givhan, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas (with substitute):

S. 151. Relating to the registration of vessels and motor boats and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels and boats used on the waters of this State by the Conservation Department of this State; the enforcement of this Act; duties of the Director of the State Department of Conservation; fee schedule for vessels and motor boat registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel and motor boat operation when un-numbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels and motor boats prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this Act; the establishment of license fees on vessels and motor boats and providing penalties for violation of the provisions of this Act and repealing all laws in conflict with the provisions of this Act.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the fol-

lowing bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rutledge:
S. 366. To provide an additional expense allowance to the judge of the Twenty-fifth Judicial Circuit of Alabama.

By Mr. Graham (with notice and proof):
S. 369. To regulate the manner of constructing, improving, maintaining, repairing, and equipping public school buildings in Chilton County.

By Mr. Graham (with notice and proof):
S. 370. To amend Section 8 of the Act approved September 12, 1951, which established the Board of Revenue and Control of Chilton County (Act No. 872, H. 1118, Acts 1950-1951, vol. II, p. 1505); providing for nomination of each associate member of the Board by the voters of his district.

By Mr. Graham (with notice and proof):
S. 371. To establish for Chilton County, Alabama a Law and Equity Court; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a Court Reporter for said Court and to fix and prescribe his duties, compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the tiral of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the County Court of Chilton County, Alabama.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Glass and Taylor:
H. 288. To amend Section 11 of Title 27, Code of Alabama 1940, to provide that the judge of probate shall make a report to the bureau of vital statistics, state health department, of the result of proceedings to legitimate bastard children.

Also:

By Messrs. Glass and Taylor:
H. 289. To amend further Section 611 of Title 51, Code of Alabama 1940, relating to the privilege license taxes payable by transient vendors and peddlers; providing that the payment of one state license authorizes certain vendors or peddlers to engage in business in any county in the state upon payment of a county license in each county where they do business.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 288 — to the Committee on Judiciary.

H. B. 289 — to the Committee on Finance and Taxation.

MESSAGE FROM THE GOVERNOR

September 25, 1959

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the Civil Service Board of the City of Anniston:

Dr. Harold West, Anniston, Alabama — For the term expiring September 11, 1965.

Respectfully,

JOHN PATTERSON,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the appointment of Dr. Harold West, Anniston, Alabama, to the Civil Service Board of the City of Anniston, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

September 25, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Board of Trustees, Alabama Polytechnic Institute:

Honorable Owen Reeder, Luverne, Alabama — Second District — For the term expiring in January, 1971.

Honorable R. C. "Red" Bamberg, Uniontown, Alabama — Sixth District — For the term expiring in January, 1971.

Honorable Redus Collier, Decatur, Alabama — Eighth District — For the term expiring in January, 1971.

Honorable William J. Forrester, Dothan, Alabama — Third District — Succeeding Honorable Jimmy Hitchcock, deceased, for the term expiring in January, 1963.

Respectfully,

JOHN PATTERSON,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the appointment of Messrs. Owen Reeder, R. C. "Red" Bamberg, Redus Collier and William J. Forrester to the Board of Trustees, Alabama Polytechnic Institute, was read and referred to the Standing Committee on Rules.

RESOLUTIONS

Messrs. Roberts, Andrews, Gaither, Archer, Barnett, Berryman, de-Graffenried, Crawford, Graham, Moses, Cooper, Godfrey, Golson, Haltom, Kendall, Rutledge, Clark, Farmer, Givhan, Shelton, Jones, Wilson and Boutwell offered the following Senate Resolution, to-wit:

S. R. 24. RESOLVED BY THE SENATE, That the Secretary be authorized and directed to buy and have installed forthwith a television set in the Senate lounge, and the cost thereof shall be paid from funds appropriated for payment of expenses of the Legislature.

And on motion of Mr. Roberts, the Rules were suspended and the Resolution was adopted by the Senate.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Green, further consideration of the Bill, H. B. 434, was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

S. 338. Relating to Marion County: To provide for the appointment and compensation of clerical assistance for certain county officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Golson	Robison
Andrews	Crawford	Green	Samford
Archer	Dumas	Hines	Turner
Barnett	Eddins	Kendall	Webb
Berryman	Gaither	Moses	Wilson
Caffey	Godfrey	Roberts	Wyatt
Clark			

—24

Nays: —0

The Bill:

S. 339. For the relief of Lee Other Harris; authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Marion County to make an appropriation from the county treasury to compensate Lee Other Harris for certain damages.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Eddins	Haltom	Shelton
Archer	Gaither	Hines	Turner
Barnett	Givhan	Kendall	Webb
Caffey	Godfrey	Moses	Wilson
Clark	Graham	Roberts	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 670. To amend an act entitled "An act to provide for the election of a County Superintendent of Education for Pickens County, Alabama, by the qualified voters of said county, to fix his term of office, to prescribe his salary and the manner of payment, to define his qualifications, powers, and duties and to provide for the election of his successor in office."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts
Andrews	Dumas	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Givhan	Kendall	Webb
Caffey	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 518. To abolish school district no. 6, Autauga County, and to annex the territory constituting such school district to school district no. 2 of said county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Eddins	Jones	Samford
Archer	Farmer	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Porter	Wilson
Cooper	Graham	Roberts	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 519. To provide for the election of members of the county board of education of Autauga County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Eddins	Hines	Shelton
Archer	Farmer	Jones	Turner
Barnett	Givhan	Moses	Webb
Caffey	Godfrey	Porter	Wilson
Clark	Graham	Roberts	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 523. To regulate further payment of compensation to deputy sheriffs by Chilton County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Eddins	Hines	Shelton
Archer	Farmer	Jones	Turner
Barnett	Givhan	Kendall	Webb
Berryman	Godfrey	Leonard	Wilson
Caffey	Graham	Robison	Wyatt
Cooper			

—24

Nays: —0

The Bill:

H. 524. To permit any state bank having its principal place of business or a branch place of business or office in Chilton County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Archer	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Turner
Berryman	Gaither	Jones	Webb
Clark	Givhan	Leonard	Wilson
Cooper	Godfrey	Moses	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 525. To regulate the compensation of members of the county board of education in counties having a population of not less than

19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts	
Archer	Dumas	Haltom	Samford	
Berryman	Eddins	Jones	Shelton	
Caffey	Farmer	Kendall	Webb	
Clark	Gaither	Leonard	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 526. Relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Kendall	Shelton	
Barnett	Gaither	Leonard	Turner	
Berryman	Golson	Moses	Wilson	
Clark	Graham	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 538. To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Green	Robison	
Andrews	Dumas	Hines	Samford	
Barnett	Farmer	Jones	Shelton	
Berryman	Givhan	Moses	Turner	
Caffey	Godfrey	Porter	Webb	
Clark	Graham	Roberts	Wilson	
Cooper				—24

Nays: —0

The Bill:

H. 541. To prohibit the use of nets for fishing in Limestone County, and making the possession of prohibited nets under described conditions prima facie evidence of their illegal use; prescribing penalties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Farmer	Jones	Turner	
Berryman	Gaither	Kendall	Webb	
Caffey	Godfrey	Moses	Wilson	
Clark	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 542. To regulate further the office of sheriff of Limestone County; requiring the sheriff of such county and his deputies when engaged in official duties to wear uniforms and when motor vehicles are used in connection therewith to use motor vehicles that are plainly marked or identified as vehicles used in the discharge of the official duties of the office of sheriff; authorizing and directing the county governing body to prescribe the style of the uniforms to be worn and the manner of marking or identifying the motor vehicles so used and to provide for the furnishing of such uniforms to such officers and the marking of such vehicles at county expense; prescribing penalties for failure to wear such uniforms or to use marked vehicles as herein required; and prescribing a defense for such failure in certain instances.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Archer	Eddins	Haltom	Shelton	
Barnett	Farmer	Jones	Turner	
Berryman	Gaither	Moses	Webb	
Caffey	Godfrey	Porter	Wilson	
Clark	Golson	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 543. To provide for the appointment of a part-time clerk by the sheriff of any county having a population of not less than 35,500 nor more than 38,500, according to the last or any subsequent federal decennial census, whose compensation shall be paid by the county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Jones	Shelton	
Caffey	Farmer	Leonard	Turner	
Clark	Givhan	Moses	Webb	
Cooper	Golson	Porter	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 544. To fix and provide for payment of the compensation of clerks and assistants of certain officers of Limestone County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Jones	Turner	
Barnett	Farmer	Kendall	Webb	
Caffey	Gaither	Moses	Wilson	
Clark	Givhan	Roberts	Wyatt	
Cooper				—24

Nays: —0

The Bill:

H. 556. To provide for the payment of expenses incurred by members of the Court of County Commissioners, Board of Revenue, or like governing body of Perry County which are incurred in the performance of their duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	**Crawford**	Golson	Roberts	
Andrews	Dumas	Haltom	Samford	
Archer	Farmer	Hines	Turner	
Barnett	Gaither	Jones	Webb	
Berryman	Givhan	Moses	Wilson	
Caffey	Godfrey	Porter	Wyatt	
Clark				—24

Nays: —0

The Bill:

H. 557. To provide for appointment of an additional deputy by the sheriff of Perry County, and for the payment of his compensation.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Samford	
Archer	Farmer	Hines	Turner	
Barnett	Givhan	Jones	Webb	
Caffey	Golson	Leonard	Wilson	
Clark	Graham	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 558. Relating to and providing for the reidentification of voters in St. Clair County; directing the board of registrars to purge the lists of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Shelton	
Archer	Gaither	Jones	Turner	
Caffey	Givhan	Kendall	Webb	
Clark	Godfrey	Moses	Wilson	
Cooper	Golson	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 559. To amend Act No. 173, H. 490, approved June 30, 1953, (Acts of Alabama 1953, page 217) which creates and establishes the Inferior Court of St. Clair County, so as to provide that fees of officers and State's witnesses in criminal cases docketed in such court in which the State fails to convict, or the cause is otherwise abated, withdrawn or dismissed or an order of nolle prosequi is entered by the State, shall be paid from the Fine and Forfeiture Fund of St. Clair County and such fund reimbursed therefor by the State.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford	
Andrews	Gaither	Jones	Shelton	
Archer	Givhan	Kendall	Turner	
Caffey	Godfrey	Moses	Webb	
Clark	Golson	Roberts	Wilson	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 567. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Farmer	Haltom	Samford	
Archer	Gaither	Hines	Shelton	
Barnett	Godfrey	Jones	Webb	
Caffey	Golson	Leonard	Wilson	
Clark	Graham	Moses	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 580. To amend Sections 1 and 3 of the act approved May 26, 1955, regulating the taking of fish from public streams and impounded waters in Elmore and Tallapoosa counties (Act No. 17, H. 93, Acts of Alabama 1955, Vol. I, pp. 229-231); prohibiting fishing with baskets and nets in the Coosa River or in the impounded waters thereof inside the boundaries of Elmore County, and making further provisions for the use of revenues derived from the sale of licenses in Elmore County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Samford	
Archer	Farmer	Jones	Shelton	
Berryman	Gaither	Leonard	Turner	
Clark	Givhan	Porter	Webb	
Crawford	Graham	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 588. To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden, Alabama; to provide for the composition of said board; to provide for a secretary-treasurer of said board; to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Cooper	Dumas
Andrews	Berryman	Crawford	Eddins
Archer	Clark	deGraffenried	Givhan

Golson	Leonard	Robison	Webb	
Green	Moses	Samford	Wilson	
Haltom	Roberts	Shelton	Wyatt	
Jones				—24

Nays: —0

The Bill:

H. 480. To amend Section 1 of Act No. 652, H. 1030, approved October 9, 1947 (Local Acts of Alabama 1947, p. 409), entitled "An Act To provide for meetings and compensation of members of the County Board of Education of Coffee County."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Green	Robison	
Archer	Eddins	Haltom	Samford	
Barnett	Farmer	Jones	Turner	
Berryman	Givhan	Kendall	Wilson	
Caffey	Godfrey	Moses	Wyatt	
Clark				—24

Nays: —0

The Bill:

H. 589. To amend Sections 3 and 4 of an act approved June 29, 1951, providing for the construction and maintenance of roads and bridges in Greene County on a county-unit basis (Act No. 149, H. 441, Acts 1951, p. 383), in relation to the compensation of the chairman and members of the court of county commissioners.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Barnett	Dumas	Haltom	Samford	
Berryman	Eddins	Jones	Shelton	
Caffey	Gaither	Kendall	Turner	
Clark	Givhan	Moses	Wilson	
Cooper	Godfrey	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 582. To vacate and annul the dedication to public use, prescribed in a deed to the City of Brewton from John R. Downing, as trustee for R. M. Jernigan, John R. Downing, and Thomas E. McMillan, then owners of Lincoln Park Subdivision, in the City of Brewton, to that certain parcel or tract of land hereinafter described by metes and bounds which is a part of that tract, lot or parcel of land designated as "Park" on the map of such subdivision on record in Map Book 3, at page 31 in the probate records of Escambia County, and more particularly described in

the above mentioned deed, recorded in Deed Book 96 at page 562, probate records of Escambia County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts	
Archer	Dumas	Haltom	Robison	
Barnett	Farmer	Hines	Samford	
Berryman	Givhan	Kendall	Shelton	
Clark	Godfrey	Moses	Webb	
Cooper	Graham	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 581. To alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Archer	Eddins	Haltom	Robison	
Barnett	Gaither	Hines	Samford	
Caffey	Givhan	Jones	Shelton	
Clark	Golson	Kendall	Webb	
Cooper	Graham	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 593. To alter, re-arrange and extend the boundaries of the Town of Kinsey in Houston County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Hines	Shelton	
Archer	Farmer	Jones	Turner	
Barnett	Godfrey	Leonard	Webb	
Caffey	Golson	Moses	Wilson	
Clark	Graham	Porter	Wyatt	
Cooper				—24

Nays: —0

The Bill:

H. 590. To fix the compensation of the deputy solicitor of Greene County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Porter
Andrews	Farmer	Haltom	Samford
Berryman	Givhan	Hines	Shelton
Caffey	Godfrey	Jones	Turner
Clark	Golson	Leonard	Wilson
Cooper	Graham	Moses	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 573. To abolish the office of deputy solicitor for Clay County and to create in lieu thereof the office of county solicitor; to provide for the election, qualifications, and term of the county solicitor, prescribe his powers, authority, and duties, and fix his compensation; and to require the board of revenue, court of county commissioners, or other like governing body of Clay County to furnish the county solicitor with necessary office space, supplies, and equipment.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison
Archer	Eddins	Hines	Samford
Berryman	Gaither	Jones	Shelton
Caffey	Godfrey	Leonard	Turner
Cooper	Golson	Moses	Webb
Crawford	Graham	Porter	Wilson
deGraffenried			

—24

Nays: —0

The Bill:

H. 575. To authorize the court of county commissioners, board of revenue or other like governing body of Dale County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Dale County public highway and traffic fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Robison
Andrews	Farmer	Haltom	Samford
Barnett	Givhan	Jones	Shelton
Caffey	Godfrey	Kendall	Webb
Clark	Golson	Leonard	Wilson
Crawford	Graham	Roberts	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 574. To permit any bank having its principal place of business in Dale County to establish, maintain, and operate, within the corporate limits of any incorporated municipality in Dale County, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts	
Andrews	Dumas	Haltom	Shelton	
Barnett	Farmer	Hines	Turner	
Caffey	Givhan	Kendall	Webb	
Clark	Godfrey	Leonard	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 597. To authorize the court of county commissioners or like governing body of Lee County to levy a privilege or license tax on persons, corporations, co-partnerships, companies, agencies, and associations selling, distributing, or delivering any malt or brewed beverages to retailers in Lee County; to authorize the court of county commissioners or like governing body of Lee County to collect the tax and to distribute among the incorporated municipalities within the county their pro rata share of the proceeds; to authorize the court of county commissioners to make rules and regulations to govern enforcement and collection of the tax; and to provide for the use of the proceeds derived from the tax.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Archer	Eddins	Haltom	Samford	
Berryman	Farmer	Kendall	Turner	
Caffey	Gaither	Moses	Webb	
Clark	Godfrey	Porter	Wilson	
Cooper	Golson	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 576. To provide a salary for the coroner of Dale County, and to prescribe the manner of payment thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Clark	Crawford
Andrews	Caffey	Cooper	Dumas

Farmer	Haltom	Moses	Turner	
Gaither	Hines	Porter	Webb	
Givhan	Jones	Roberts	Wilson	
Graham	Leonard	Shelton	Wyatt	
Green				—24

Nays: —0

The Bill:

H. 598. Relating to Lee County; providing for the compensation of the deputies to the sheriff of Lee County, and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Andrews	Farmer	Hines	Samford	
Archer	Gaither	Jones	Turner	
Barnett	Givhan	Kendall	Webb	
Caffey	Godfrey	Moses	Wilson	
Clark	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 599. To amend Section 4 of Act No. 220, H. 679, approved July 12, 1949 (Acts of Alabama, 1949, p. 312), entitled "An Act Creating the office of county solicitor of Lee County; providing the method of filling the office; and fixing the compensation and defining the duties of such solicitor," by fixing the compensation of the county solicitor.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Archer	Eddins	Hines	Samford	
Barnett	Farmer	Jones	Turner	
Caffey	Givhan	Kendall	Webb	
Clark	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 600. Relating to and providing for the reidentification of electors in Lee County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Barnett	Eddins	Hines	Samford	
Caffey	Gaither	Jones	Turner	
Clark	Givhan	Leonard	Webb	
Cooper	Godfrey	Moses	Wilson	
Crawford	Graham	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 601. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361), which created and established the Court of Common Pleas of Lee County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Samford	
Barnett	Eddins	Hines	Turner	
Caffey	Givhan	Jones	Webb	
Clark	Golson	Moses	Wilson	
Cooper	Graham	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 603. To amend further Section 4 of the act approved September 25, 1947 (Act No. 470, H. 899, Local Acts 1947, p. 329) relating to the office of chief clerk to the circuit solicitor of the Twenty-third Judicial Circuit.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Archer	Eddins	Hines	Samford	
Berryman	Farmer	Jones	Shelton	
Caffey	Gaither	Kendall	Turner	
Clark	Godfrey	Moses	Webb	
Cooper	Golson	Porter	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 610. To amend Section 24 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Shelton	
Barnett	Eddins	Hines	Turner	
Berryman	Farmer	Leonard	Webb	
Clark	Givhan	Moses	Wilson	
Cooper	Graham	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 612. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Porter	
Andrews	Eddins	Haltom	Samford	
Archer	Farmer	Hines	Shelton	
Berryman	Givhan	Jones	Webb	
Clark	Godfrey	Leonard	Wilson	
Cooper	Graham	Moses	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 613. Proposing an amendment to the Constitution of Alabama relating to Uniontown in Perry County, and ordering an election thereon.

Was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison	
Andrews	Gaither	Hines	Samford	
Archer	Givhan	Kendall	Turner	
Berryman	Golson	Moses	Webb	
Caffey	Graham	Porter	Wilson	
Clark	Green	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 621. To provide for the feeding and care of certain county prisoners of Russell County employed or used on the construction, repair,

and maintenance of county roads and bridges, or other such road work; to authorize a daily tobacco allowance for such prisoners; to provide hospital and medical care and treatment for any of such prisoners who are injured or become ill while engaged in such road work; to prescribe the powers, duties, and authority of the sheriff and the governing body of Russell County in carrying out the provisions of this Act; and giving certain portions of the Act retroactive effect.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts
Andrews	Eddins	Haltom	Samford
Archer	Farmer	Hines	Turner
Caffey	Givhan	Jones	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 632. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 17,650 nor more than 18,000, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Jones	Samford
Archer	Gaither	Kendall	Turner
Berryman	Golson	Leonard	Webb
Caffey	Graham	Porter	Wilson
Clark	Green	Roberts	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 638. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Caffey	Dumas	Godfrey
Andrews	Clark	Eddins	Golson
Archer	Cooper	Farmer	Haltom
Barnett	Crawford	Givhan	Hines

Kendall	Robison	Turner	Wilson	
Leonard	Samford	Webb	Wyatt	
Roberts				—24

Nays: —0

The Bill:

H. 640. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for precinct five, Choctaw County.

Was read a third time at length and passed.

Years 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Jones	Shelton	
Caffey	Gaither	Kendall	Webb	
Clark	Givhan	Leonard	Wilson	
Cooper	Graham	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 614. To regulate the compensation of deputy sheriffs other than the chief deputy sheriff, of Pike County; amending Section 1 of Act No. 634, H. 1057, as amended, approved July 10, 1940, (Local Acts of Alabama 1939, p. 366) and Section 2 of Act No. 165, H. 574, approved June 28, 1949, (Acts of Alabama 1949, p. 193).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Porter	
Andrews	Eddins	Haltom	Robison	
Archer	Farmer	Hines	Samford	
Caffey	Givhan	Jones	Turner	
Clark	Godfrey	Leonard	Wilson	
Cooper	Golson	Moses	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 646. Relating to St. Clair County; providing for the election of county commissioners from districts; prescribing the powers and duties of the court of county commissioners of St. Clair County, and the qualifications, term of office, compensation, and manner of election of the members thereof; and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Shelton	
Archer	Farmer	Jones	Turner	
Caffey	Gaither	Leonard	Webb	
Clark	Golson	Moses	Wilson	
Cooper	Graham	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 647. To provide for and regulate the payment of a portion of the compensation of clerks in the offices of the tax assessor and tax collector of Autauga County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Archer	Dumas	Haltom	Robison	
Barnett	Farmer	Hines	Samford	
Caffey	Gaither	Leonard	Turner	
Clark	Givhan	Moses	Webb	
Cooper	Godfrey	Porter	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 649. To fix the compensation of the coroner of Autauga County and provide for the payment thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Archer	Dumas	Haltom	Robison	
Barnett	Farmer	Hines	Samford	
Caffey	Gaither	Leonard	Turner	
Clark	Givhan	Moses	Webb	
Cooper	Godfrey	Porter	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 648. To amend Sections 1 and 5 of Act No. 445, H. 858, approved August 23, 1947 (Local Acts of Alabama, 1947, p. 303), entitled "An Act To establish a Court of Common Pleas for Autauga County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of Cases and transactions of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; and to abolish the Civil and Criminal

Court of Autauga County, Alabama, and the County Court of Autauga County, Alabama."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Haltom	Samford	
Archer	Farmer	Hines	Shelton	
Barnett	Gaither	Kendall	Webb	
Caffey	Givhan	Leonard	Wilson	
Clark	Godfrey	Moses	Wyatt	
Cooper				—24

Nays: —0

The Bill:

H. 650. Fixing the compensation of members of the board of education of Autauga County, and providing for the payment of expenses incurred by the members thereof in attending meetings and transacting business of the board.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Andrews	Dumas	Jones	Samford	
Archer	Eddins	Kendall	Shelton	
Barnett	Gaither	Leonard	Webb	
Berryman	Givhan	Moses	Wilson	
Cooper	Godfrey	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

S. 348. Relating to the holding of elections in Marengo County; requiring the court of county commissioners, board of revenue, or other like governing body of Marengo County to provide for the purchase, installation, and use of voting machines in all elections held within the county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Roberts	
Andrews	Gaither	Hines	Samford	
Archer	Givhan	Jones	Turner	
Berryman	Golson	Kendall	Webb	
Caffey	Graham	Leonard	Wilson	
Cooper	Green	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

S. 352. Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Andrews	Dumas	Green	Samford
Archer	Eddins	Haltom	Shelton
Barnett	Farmer	Jones	Turner
Berryman	Givhan	Leonard	Wilson
Clark	Godfrey	Porter	Wyatt
Cooper			—24

Nays: —0

The Bill:

S. 270. To dissolve the municipal corporation of Daleville, Dale County, revoke its charter, and provide for the disposition of its prop- with to the House without engrossment.

Was read a third time at length and passed, and ordered sent forth- erty and payment of its debts.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Porter
Andrews	Dumas	Green	Robison
Barnett	Eddins	Haltom	Samford
Caffey	Givhan	Hines	Shelton
Clark	Godfrey	Kendall	Turner
Cooper	Golson	Leonard	Wyatt
Crawford			—24

Nays: —0

The Bill:

S. 358. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing, or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Robison	
Andrews	Eddins	Jones	Samford	
Archer	Farmer	Leonard	Shelton	
Caffey	Gaither	Moses	Turner	
Clark	Godfrey	Porter	Wilson	
Cooper	Graham	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 214. To propose an amendment to the Constitution providing for the levy and collection of an additional property tax for educational purposes in DeKalb County.

Was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Barnett	Eddins	Haltom	Samford	
Caffey	Farmer	Jones	Shelton	
Clark	Gaither	Kendall	Turner	
Cooper	Godfrey	Moses	Wilson	
Crawford	Graham	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 530. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Farmer	Jones	Shelton	
Barnett	Godfrey	Kendall	Webb	
Berryman	Golson	Moses	Wilson	
Cooper	Graham	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 577. To authorize all cities in the State of Alabama having a population exceeding 20,000 and not exceeding 23,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census,

or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contributions; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, except that the provisions of this act shall not be applicable to any retirement system heretofore established by local act of the Alabama Legislature, on the basis of an interest rate not in excess of four per centum per annum, and mortality disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Samford
Archer	Farmer	Hines	Turner
Barnett	Givhan	Leonard	Webb
Berryman	Golson	Moses	Wilson
Clark	Graham	Porter	Wyatt
Cooper			—24

Nays: —0

The Bill:

H. 579. To repeal the local act approved July 29, 1955, entitled "An Act relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices, (Act No. 171, H 413, Acts 1955, vol. I, pp. 436-437).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Andrews	Dumas	Haltom	Samford
Archer	Eddins	Jones	Shelton
Barnett	Gaither	Leonard	Turner
Caffey	Givhan	Moses	Webb
Cooper	Godfrey	Porter	Wilson
Crawford			—24

Nays: —0

The Bill:

H. 641. To provide for the appointment of a special constable for each commissioner's district in Choctaw County, prescribing their powers and duties and providing for their compensation.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Archer	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Turner
Berryman	Farmer	Jones	Webb
Caffey	Givhan	Leonard	Wilson
Clark	Godfrey	Porter	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 663. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 11, T16N, R18E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Farmer	Hines	Samford	
Archer	Gaither	Jones	Shelton	
Barnett	Givhan	Leonard	Webb	
Clark	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 345. To amend Section 380, Title 51, Code of Alabama 1940, in relation to the recognition of gain or loss for state income tax purposes on property involuntarily converted as a result of condemnation; giving the amendment retroactive effect.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Cooper	Golson	Robison	
Andrews	Crawford	Green	Samford	
Archer	deGraffenried	Haltom	Shelton	
Barnett	Eddins	Hines	Webb	
Berryman	Farmer	Jones	Wilson	
Caffey	Gaither	Kendall	Wyatt	
Clark	Godfrey	Porter		—26

Nays: —0

The Bill:

H. 643. To abolish the office of County Solicitor of Walker County, Alabama, and to create in lieu thereof the office of the Solicitor of the County Court of Walker County, Alabama, to provide for the appointment and the election of such officer by the qualified voters of said Walker County, to prescribe his duties, powers and qualifications and to provide for his compensation and the way in which same is to be paid, to fix the term of his office, to provide for the election of his successor in office and to fix the time in which he shall take office and to relate that all general and local laws in conflict with the provisions of this Act are repealed in so far as they relate to said Walker County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Roberts	
Andrews	Dumas	Graham	Samford	
Archer	Eddins	Haltom	Turner	
Barnett	Farmer	Kendall	Webb	
Caffey	Gaither	Leonard	Wilson	
Clark	Givhan	Moses	Wyatt	
Cooper				—24

Nays: —0

The Bill:

H. 639. Regulating further the insuring of the property of public hospitals in all counties in this State having a population of not less than 19,200 nor more than 20,200, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts
Andrews	Dumas	Haltom	Samford
Archer	Eddins	Jones	Shelton
Caffey	Godfrey	Kendall	Webb
Clark	Golson	Leonard	Wilson
Cooper	Graham	Moses	Wyatt
Crawford			

—24

Nays: —0

RESOLUTION

Mr. Godfrey offered the following Senate Joint Resolution, to-wit:

S. J. R. 25. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That the bill, H. B. 345, which has passed both Houses, be designated the "Godfrey-Meade Bill."

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 66. Relative to expressing sympathy to Representative Wiley Salter on the untimely death of his wife.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

RECESS

At 2:15 P.M., on motion of Mr. Turner, the Senate took a recess until 3:30 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell.

ROLL CALL

Present:

Messrs.:	deGraffenried	Green	Roberts	
Andrews	Dumas	Haltom	Robison	
Archer	Eddins	Hines	Samford	
Barnett	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Turner	
Caffey	Givhan	Leonard	Webb	
Clark	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford	Graham			—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

By Mr. Robison:

S. 312. To create within any county in this state having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 312, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO S. B. 312

In Section 10, strike out the last sentence and insert the following sentence:

Provided, the local costs of operations of the family relations division of the circuit court up to but not exceeding 80 thousand dollars per annum shall be borne, share and share alike, by the county and the most populous city in the county. Such costs shall be paid by the county in the first instance, and the council, commission, or other like governing body of the city shall reimburse the county for its share.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Kendall	Turner	
Barnett	Farmer	Leonard	Webb	
Caffey	Gaither	Moses	Wilson	
Clark	Golson	Porter	Wyatt	
Cooper				—24

Nays: —0

BILLS ON THIRD READING

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Bill:

S. 122. To amend Section 123 of Title 7, Code of Alabama 1940, relating to actions for wrongful act, omission, or negligence causing death.

The question was on the motion of Mr. Andrews that further consideration of the Bill be postponed until the Thirtieth Legislative day.

On motion of Mr. deGraffenried, the motion to postpone was laid on the table.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Dumas	Haltom	Porter	
Archer	Eddins	Hines	Robison	
Caffey	Farmer	Jones	Webb	
Crawford	Gaither	Kendall	Wyatt	
deGraffenried	Graham	Leonard		—18

Nays:

Messrs.:	Clark	Green	Samford	
Andrews	Cooper	Moses	Shelton	
Barnett	Givhan	Roberts	Wilson	
Berryman	Golson			—13

PAIRED VOTE ANNOUNCED

Mr. Turner announced that he was paired with Mr. Word on this vote; that Mr. Word, if present, would vote "Nay", and he, Mr. Turner, would vote "Yea".

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Grouby:
H. 690. Relating to the purchase of supplies, materials, equipment, and contractual services, and the sale or exchange of property, by or for Autauga County; providing for competitive bidding on certain contracts, purchases, sales, and exchanges; prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the purchase of supplies, materials, equipment, and contractual services, and the sale or exchange of property, by or for Autauga County; providing for competitive bidding on certain contracts, purchases, sales and exchanges; prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Subject to the supervision, regulation, and control of the court of county commissioners, board of revenue, or other like governing body of Autauga County, and any rules and regulations which such body may promulgate from time to time in exercising its authority under this Act, all purchases for the county shall be made by such county governing body or its duly authorized agent. And the probate judge, as chairman of the county commissioners court, shall function as purchasing agent without additional compensation. The provisions of this Act shall have application to all purchases made by or for Autauga County, whether such purchases are made by the county governing body as such, or by its purchasing agent. The purchasing agent shall make all purchases of supplies, materials, equipment, and contractual services (which term as used in this Act shall not include contracts for professional or other personal services) for the county; and, subject to the approval of the court of county commissioners, board of revenue, or other like governing body of the county, may promulgate reasonable rules and regulations governing the acquisition of such supplies, materials, equipment, and contractual services.

Section 2. At least three written, sealed, competitive bids shall be obtained on all purchases of supplies, materials, equipment, and contractual services when the amount involved is three hundred dollars or more. If the proposed purchase or contract involves an amount less than three hundred dollars, the purchase may be made either on the basis of sealed bids or in the open market. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than three hundred dollars for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board in the county courthouse at least ten days prior to the meeting at which the purchase is to be made. If the amount of the proposed purchase or the proposed contract is in excess of three hundred dollars, written notice by registered mail, with return receipt requested, shall be given to at least three merchants or dealers in the goods or materials to be purchased, or where notice is of a contract to be let, to at least three contractors engaged in the type of work contemplated. A copy of such notice or notices, together with the return receipts showing their delivery, must be recorded in and shall become a part of the minutes of the court of county commissioners, board of revenue, or other like county governing body.

All bids received on proposed purchases or contracts shall be opened publicly at the time and place stated in the invitation to bid. The contract or order shall be awarded to the lowest responsible bidder, or all bids may be rejected and the purchase or contract renegotiated when the public interest will be served thereby. The purchasing agent shall obtain information from the Division of Purchases and Stores of the State Department of Finance relative to the items to be purchased by competitive bids; and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the State Purchasing

Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Each record, with the successful bid indicated thereon, and with the reason for the award if not awarded to the lowest bidder, shall, after the award be open to public inspection. In the event of a sale, trade, or other disposition of any property of the county of any nature or kind the procedure as outlined herein as it relates to the obtaining of written, sealed, competitive bids shall be followed, and such sale, trade, or disposition of the property of the county shall be made in accordance with the most advantageous offer made.

Section 3. In an emergency a purchase may be made without competitive bids and without obtaining information from the Division of Purchases and Stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the purchasing agent and filed in his office. An emergency, as the term is used herein, means a situation where needed equipment of the county is idle due to lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition the road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof. The records of such emergency transactions shall be open to public inspection. The provisions of this Act regarding competitive bidding and obtaining information from the State Purchasing Agent may be waived for purchases of perishable commodities, utility services, machinery repairs, and commodities or services for which there is no competitive situation.

Section 4. In making purchases for the county the purchasing agent shall give preference to commodities produced or sold in Autauga County, provided there is no sacrifice or loss in prices or quality.

Section 5. Whoever purchases or disposes of, or attempts to purchase or dispose of property for or on behalf of Autauga County contrary to the provisions of this Act, or whoever violates any provision of this Act, is guilty of a misdemeanor and upon conviction shall be fined not less than one hundred nor more than one thousand dollars, and in addition may be imprisoned in the penitentiary for one year and one day.

Section 6. The court of county commissioners, board of revenue, or other like county governing body of Autauga County shall provide the purchasing agent with the quarters, supplies, books, equipment, postage, and assistance necessary for the proper and efficient conduct of his duties.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 27A4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein men-

tioned she was Publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 27, Sept. 3, Sept. 10, and Sept. 17, all in the year 1959.

MRS. H. M. DOSTER.

Sworn to and subscribed before me September 18, 1959.

LOUISE W. SMYSER,
Notary Public.

Also:

By Mr. Grouby:
H. 691. To regulate the compensation of the solicitor of Autauga County; amending Section 5 of Act No. 77, H. 325, approved July 7, 1947 (Local Acts 1947, p. 55).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate the compensation of the solicitor of Autauga County; amending Section 5 of Act No. 77, H. 325, approved July 7, 1947 (Local Acts 1947, p. 55).

Be It Enacted by the Legislature of Alabama:

Section 5 of Act No. 77, H. 325, approved July 7, 1947 (Local Acts 1947, P. 55), the act creating the office of County Solicitor of Autauga County, is amended to read as follows:

"Section 5. That the County Solicitor of Autauga County, Alabama, shall receive a salary of not less than 24 hundred dollars per annum and not more than three thousand dollars per annum to be paid out of the general fund of said county in twelve equal installments, said salary to be fixed by the Board of Revenue of Autauga County, Alabama."

27A4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein men-

tioned she was Publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 27, Sept. 3, Sept. 10, and 17 Sept., all in the year 1959.

MRS. H. M. DOSTER.

Sworn to and subscribed before me September 18th, 1959.

LOUISE W. SMYSER,
Notary Public.

Also:

By Mr. Grouby:
H. 692. To provide for the repair, maintenance, and servicing of motor vehicles, automotive equipment, and machinery used in the construction and maintenance of public roads and bridges in Autauga County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the repair, maintenance, and servicing of motor vehicles. automotive equipment, and machinery used in the construction and maintenance of public roads and bridges in Autauga County.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Autauga County shall provide and maintain a central garage, shop, or other facility where the motor vehicles, automotive equipment, and machinery used in the construction and maintenance of roads and bridges within the county can be serviced, repaired, and maintained in good working order by mechanics, servicemen, and attendants employed by the county. The county governing body shall also appoint a superintendent or foreman for the county garage or shop, and fix his tenure and compensation, and shall employ such mechanics and other personnel as may be necessary to operate the same.

Section 2. This Act shall take effect on the first Monday after the second Tuesday in January, 1961. 27A4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the time herein mentioned she was Publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 27, Sept. 3, Sept. 10, and Sept. 17, all in the year 1959.

MRS. H. M. DOSTER.

Sworn to and subscribed before me September 18, 1959.

LOUISE W. SMYSER,
Notary Public.

Also:

By Mr. Rozelle:

H. 704. TO alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

TO alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this Act the boundary lines of the City of Brewton, Escambia County, Alabama be and the same are altered and re-arranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory described as follows:

All that part of the Southwest Quarter of the Northwest Quarter (SW¼ of NW¼) and the Southeast Quarter of the Northwest Quarter (SE¼ of NW¼) in Section Thirty-one (31), Township Two (2) North of Range Ten (10) East that lies North and East of Cobb Branch and South and West of Garrett Farm Road, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NE cor. of NW¼ of

SE¼ of NW¼) in Section Thirty-one (31), Township Two (2) North of Range Ten (10) East; thence run West 1870 feet, more or less, to the center of Cobb Branch; thence run in a southeasterly direction for a distance of 1900 feet, more or less, along the center of said Branch to the South line of the Southeast Quarter of the Northwest Quarter (SE¼ of NW¼) of said Section Thirty-one (31), thence run East along the South line of said forty for a distance of 470 feet more or less to a point on the West line of Garrett Farm Road, thence run in a Northwesterly direction along the West line of said Garret Farm for a distance of 1800 feet, more or less, and to the starting point, situated, lying and being in Escambia County, Alabama.

Section 2. That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Tom Gardner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner-Publisher of The Brewton Standard, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 13, August 20, August 27, and September 3, all in the year 1959.

TOM GARDNER.

Sworn to and subscribed before me September 3, 1959.

AMY B. CORPENING,
Notary Public.

Also:

By Mr. Martin:

H. 707. To levy county sales and use taxes for public school purposes in Greene County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; to provide penalties for violations of the Act; to supersede and repeal Act No. 24, H. 15, approved February 19, 1959.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To levy county sales and use taxes for public school purposes in Greene County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; to provide penalties for violations of the Act; to supersede and repeal Act No. 24, H. 15, approved February 19, 1959.

Be It Enacted by the Legislature of Alabama:

Section 1. There are hereby levied and imposed in Greene County, in addition to all other taxes of every kind now imposed by law, county privilege or license or excise taxes to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

I. Upon every person, firm, or corporation engaged or continuing within Greene County in Business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within Green County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other associations whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Greene County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm or corporation engaged or continuing within Greene County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily so used, an amount equal to one half of one per cent of the gross proceeds of the sale of such machines, attachments, parts and replacements therefor.

4. Upon every person, firm or corporation engaged or continuing within Greene County in the business of selling at retail any automotive vehicle or truck or truck trailer and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer. Provided, that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade,

or in a series of trades, as a credit or part payment of the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

5. An excise tax is hereby imposed on the storage, use or other consumption in Greene County of tangible personal property purchased at retail on or after the first day of October 1959, for storage, use or other consumption in Greene County at the rate of three per cent of the sales price of such property, except as otherwise provided as follows:

(a) An excise tax is hereby imposed on the storage, use or other consumption in Greene County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machine, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail on or after the first day of such machines, purchased at retail on or after the first day of of October 1959, for storage use or other consumption in Greene County, at the rate of one-half of one percent of the sales price of such machines or the parts, attachments, or replacements therefor.

(b) An excise tax is hereby imposed on the storage, use or other consumption in Greene County of any automotive vehicle or truck trailer and semi-trailer purchased at retail on or after October 1, 1959, for storage, use or other consumption in Greene County, at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the difference of the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

The taxes levied by this Act shall be subject to all definitions, exemptions, proceedings, rules, regulations, requirements, fines, penalties, punishments, and deductions as are provided in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, the state sales tax law, and Article 11, Chapter 20, Title 51, Code of Alabama, 1940 as amended, and all acts supplementary thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof. The tax levied herein shall be added to the sales price of property sold, and shall be collected from the purchaser, so that the impact of the tax will be on the consumer rather than on the retailer.

Every person storing, using, or otherwise consuming in Greene County any tangible personal property purchased at retail shall be liable for the tax imposed by paragraph 5, above, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in the county showing the payment of the tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 2. The taxes levied by this Act shall be collected by the Department of Revenue of the State of Alabama, at the same time and along with the collection by that department of taxes levied and collected for the State of Alabama under the provisions of Act No. 100, H. 94, approved August 18, 1959 and Article 11, of Chapter 20, Title 51, Code of Alabama (1940), and all acts amendatory thereof or supplementary thereto, and all reports now required to be made to the Commissioner of

Revenue shall, on the request of the Department of Revenue, be available for inspection by the chairman of the Greene County, Alabama Board of Education, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the county taxes levied by this Act, and shall have all the authority and duties in connection with such taxes as are now given by law to the Department of Revenue or the commissioner of Revenue in connection with the collection of the state sales and use taxes provided for by Act No. 100, H. 94, approved August 18, 1959 and Article 11, of Chapter 20, Title 51, Code of Alabama (1940), and all acts amendatory thereof or supplementary thereto. It shall be the duty of the Commissioner of Revenue to pay into the State Treasury all taxes collected under this Act; and on or before the first day of the following month, the Commissioner shall certify to the State Comptroller the amount of special taxes collected under the provisions of this Act for the use and benefit of Greene County Board of Education during the calendar month immediately preceding the month of making such certificate. Whereupon, it shall be the duty of the Comptroller to issue his warrant on the State Treasury, payable to the custodian of the public school funds of Greene County, in his official capacity; in an amount equal to the amount so certified by the Commissioner of Revenue as having been collected for the use of Greene County Board of Education and paid into the State Treasury. The County Board of Education of Greene County shall use all revenue arising from the taxes herein levied exclusively and solely for acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, or repairing any such buildings, and acquiring sites therefor, or for other capital outlay purposes for public schools within Greene County, Alabama.

Section 3. The Department of Revenue shall charge Greene County Board of Education for collecting the special taxes levied by this Act such amount or percentage of total collections as may be agreed upon by the Commissioner of Revenue and the Greene County Board of Education, but such charge shall not, in any event, exceed two per cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes shall be deducted once each year from the special sales and special use taxes collected in the month of September of each year before certifying the amount of special sales and special use taxes due Greene County Board of Education for that month. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes levied by this Act, and otherwise to enforce the provisions of this Act, including any litigation involving the Act, and the Department of Revenue shall pay such special counsel such fees at is deems necessary and proper from the proceeds of the taxes collected by it for the county.

Section 4. The taxes levied by this Act, together with the interest and penalties which are authorized herein, shall be a lien upon the property of any person, firm, or corporation liable for taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or relating to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of taxes levied by this Act. The taxes levied by this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Greene County.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act supersedes Act No. 24, H. 15, approved February 20, 1959, which is hereby repealed. Provided, however, that this Act does not affect rights and liabilities that matured, penalties that were incurred, and proceedings that were begun under said Act No. 24 before the effective date of this enactment.

Section 7. This Act shall take effect October 1, 1959.

STATE OF ALABAMA
COUNTY OF GREENE

Before me, Geneva L. Mattison, a Notary Public in and for said state and county, personally appeared R. K. Martin, who being duly sworn by me deposes and says:

That he is the publisher of the Greene County Democrat, a newspaper published in Greene County, Alabama; that the attached advertisement appeared in said publication on the 8-27, 9-3, 9-10 and 9-17, 1959.

R. K. MARTIN,
Publisher.

Sworn to and subscribed before me this 17 day of Sept., 1959.

GENEVA L. MATTISON,
Notary Public.

Also:

By Mr. Oden:
H. 706. Proposing an amendment to the Constitution of Alabama relating to the industrial development of Franklin County and the municipalities therein.

Also:

By Messrs. Gilchrist and Brewer:
H. 736. To Amend further Act No. 415, H. 665, approved September 24, 1919, as amended and revised by Act No. 66, H. 261 (Local Acts of Alabama, 1947, page 46) and as thereafter further amended, which established the Morgan County Court in order to authorize the judge of such court to fix, within a prescribed maximum, the salary of the reporter for such court and to give the Act retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend further Act No. 415, H. 665, approved September 24, 1919, as amended and revised by Act No. 66, H. 261 (Local Acts of Alabama, 1947, page 46) and as thereafter further amended, which established the Morgan County Court in order to authorize the judge of such court to fix, within a prescribed maximum, the salary of the recorder for such court and to give the Act retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. The section of Act No. 415, H. 665, approved September 24, 1919, entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court," which appears as Section 16 in the revision of said act accomplished by Act No. 66, H. 261, approved July 7, 1947 (Local Acts of Alabama, 1947, page 46), as thereafter amended, is hereby further amended to read as follows:

"Section 16. The judge of said court shall appoint a competent shorthand reporter to perform the duties of official court reporter of said court, who shall hold office at the pleasure of said judge and who shall receive as is prescribed by the judge, but not in excess of four thousand two hundred dollars per annum, payable in equal monthly installments out of the county treasury, on the certificate of the judge of said court. In all criminal cases and causes pending on the law side of said court there shall be taxed as part of the cost of the cause a reporter's fee of Three Dollars in each case, to be collected as other cost and paid by the clerk of said court into the county treasury for the benefit of the general fund. The said court reporter shall have authority to administer oaths and shall be an officer of the court and shall not be related to the judge of said court within the fifth degree."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. The operation of this Act shall be retroactive to February 1, 1959, and all acts done and all payments made pursuant thereto on and after that date are ratified and confirmed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four sucessive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 20, Aug. 27, Sept. 3, and Sept. 10, all in the year 1959.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Sept. 15, 1959.

ESTELLE J. ODEN,
Notary Public.

My commission expires Oct. 29, 1960.

Also:

By Messrs. Gilchrist and Brewer:

H. 738. To amend further Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, page 789) as amended, which fixes the compensation of members of the Board of Revenue and Control of Morgan County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, page 789) as amended, which fixes the compensation of members of the Board of Revenue and Control of Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, page 789), which fixes the compensation of the members of the Board of Revenue and Control of Morgan County, as amended, is hereby further amended to read as follows:

"Section 1. The members of the Board of Revenue and Control of Morgan County, Alabama, shall each receive an annual salary of four thousand eight hundred dollars ($4,800.00), to be paid in equal monthly installments on the second Monday in each month, in addition to the mileage now allowed them by law for attending regular meetings of said board."

Section 2. This Act shall become effective upon the expiration of the terms of the incumbent members of the Board of Revenue and Control of Morgan County in accordance with the provisions of Amendment XCII to the Constitution of Alabama.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 20, Aug. 27, Sept. 3, and Sept. 10, all in the year 1959.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Sept. 15, 1959.

ESTELLE J. ODEN,
Notary Public.

My commission expires Oct. 29, 1960.

Also:

By Messrs. Brewer and Gilchrist:

H. 740. To amend further Act No. 415, H. 665, approved September 24, 1919, the act that established the county court for Morgan County (Local Acts 1919, p. 194), in relation to the compensation of the register of the circuit court of Morgan County for ex officio services performed in said court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 415, H. 665, approved September 24, 1919, the act that established the county court for Morgan County (Local Acts 1919, p. 194), in relation to the compensation of the register of the circuit court of Morgan County for ex officio services performed in said court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 415, H. 665, approved September 24, 1919, as amended by an act approved July 7, 1947 (Act No. 66, H. 261, Local Acts 1947, pp. 46, 48) is amended further to read as follows:

"Section 9: That the Clerk of the Circuit Court of Morgan County shall be ex officio clerk of said court and shall have the powers, and discharge the duties which will devolve upon the clerk of the circuit court, except in equity cases, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees as are now, or may hereafter, be allowed to circuit clerks of Alabama, and the same shall, be collected as such fees are collected in the circuit court, and the Deputy Clerk of the Circuit Court of Morgan County shall be ex officio Deputy Clerk of the Morgan County Court, and exercise the same powers and duties as are exercised in the circuit court by such deputy clerks. The Register of the Circuit Court of Morgan County shall be ex officio Register of the Morgan County Court and as such ex officio register shall have the same powers and discharge the same duties which devolve upon the register of the circuit court, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees as are now or may hereafter be allowed registers of the circuit court, and the same shall be collected as such fees are collected in the circuit court. The Register of the Circuit Court shall also be entitled to the same amounts for ex officio services rendered in this Court as the Clerk of the Circuit

Court, as provided by general laws, to be allowed and paid in the same manner as provided for said Clerk."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 20, Aug. 27, Sept. 3, and Sept. 10, all in the year 1957.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Sept. 15, 1959.

ESTELLE J. ODEN,
Notary Public.

My commission expires Oct. 29, 1960.

Also:

By Messrs. Brewer and Gilchrist:

H. 742. To alter, rearrange, and redefine the boundaries of the four subdivisions of Morgan County heretofore designated as districts for certain purposes prescribed by law.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required By Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the next special or regular session of the Legislature of Alabama for the enactment of Local Law substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and redefine the boundaries of the four subdivisions of Morgan County heretofore designated as districts for certain purposes prescribed by law.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The boundaries of the four subdivisions of Morgan County designated as districts for the purposes prescribed by Act No. 129 approved March 9th, 1939, (Local Acts 1939, P. 70) are hereby altered; rearranged, and redefined as follows:

DISTRICT ONE shall embrace and be composed of the following described territory: Beginning at the intersection of the Tennessee River

with the County line dividing Morgan and Lawrence Counties; thence due South along said County line to its intersection with the West fork of Flint Creek; thence in an easterly direction with the meanderings down said fork of Flint Creek to a point where said Creek intersects the center line of Section 25, Township 6, Range 5 West; thence East along said line to its intersection with the east fork of Flint Creek; thence in a northeasterly direction with the meanderings down said East fork of Flint Creek to its intersection with the old right of way of the Louisville and Nashville Railroad; thence southeasterly with said right of way to the South line of Section 28, Township 6, Range 4 West; thence East to the Southeast corner of Section 27, Township 6, Range 3 West; thence North to the Northeast corner of said Section 27; Thence East to Cotaco Creek; thence northerly with the meanderings down said Creek to the Tennessee River; thence down the Tennessee River to the point of beginning.

DISTRICT TWO shall embrace and be composed of the following described territory: Beginning at the intersection of the West fork of Flint Creek with the County line between Lawrence and Morgan Counties; thence easterly with the meanderings down the said West fork of Flint Creek to where said Creek intersects the center line of Section 25, Township 6, Range 5 West; thence due East to the East fork of Flint Creek; thence northerly with the meanderings down said East fork of Flint Creek to the old right of way of the Louisville and Nashville Railroad; thence southeasterly along said right of way to the South line of Section 28, Township 6, Range 4 West; thence due east to the Southeast corner of Section 27, Township 6, Range 3 West; thence due North to the Northeast corner of said Section 27; thence due East to the Northeast corner, Section 29, Township 6, Range 2 West; thence due South to the Northeast corner of Section 5, Township 7 South, Range 2 West; thence due West to the northwest corner of said Section 5; thence due South to the Northwest corner of Section 29, Township 7, Range 2 West; thence due West to the northwest corner of Section 25, Township 7, Range 3 West; thence due South to Southwest corner of NW¼ of Section 25, Township 7, Range 3 West; thence due West to Shoal Creek; thence in a Southwesterly direction with the meanderings down said Creek to its intersection with Flint Creek; thence in a southwesterly direction down Flint Creek with its meanderings to the East line of Section 32, Township 7, Range 4 West; thence South to the Southeast corner of Section 32, Township 7, Range 4 West; thence due West to the County line between Lawrence and Morgan Counties; thence North along said line to the point of beginning.

DISTRICT THREE shall embrace and be composed of the following described territory: Beginning at the Northwest corner of Section 6, Township 8, Range 5 West; thence due East to the Southeast corner of Section 32, Township 7, Range 4 West; thence due North to Flint Creek; thence easterly with the meanderings up Flint Creek to its intersection with Shoal Creek; thence Northeasterly with the meanderings up Shoal Creek to the center line of Section 27, Township 7, Range 4 West; thence due East to the Southeast corner of NE¼ of Section 26, Township 7, Range 3 West; thence due North to Northeast corner of NE¼, Section 26, Township 7, Range 3 West; thence due East to Northeast corner of Section 30, Township 7, Range 2 West; thence due South to the Southeast corner of Section 30, Township 7, Range 2 West; thence due East to Northeast corner of Section 34, Township 7, Range 2 West; thence due South to Southeast corner of Section 34, Township 7, Range 2 West; thence due East to Cotaco Creek; thence with the meanderings up Cotaco Creek to the County line between Cullman and Morgan Counties (being the South line of Section 29, Township 8, Range 1 West); thence due West to the Southwest corner of Section 30, Township 8, Range 5 West; thence due North to the point of beginning.

DISTRICT FOUR shall embrace and be composed of the following described territory: Beginning at the Southeast corner of Section 25, Township 8, Range 1 West; thence northerly along the County line between Morgan and Marshall Counties to the Tennessee River; thence with the meanderings down the Tennessee River to Cotaco Creek; thence up said Cotaco Creek with its meanderings to the South line of Section 23, Township 6, Range 2 West; thence West to Northwest corner of Section 28, Township 6, Range 2 West; thence due South to the Northeast corner of Section 5, Township 7, Range 2 West; thence due West to the Northwest corner of said Section 5, Township 7, Range 2 West; thence due South to the Southwest corner of Section 29, Township 7, Range 2 West; thence due East to the Southeast corner of Section 27, Township 7, Range 2 West; thence due South to Southeast corner of Section 34, Township 7, Range 2 West; thence due East to Cotaco Creek; thence southerly with the meanderings up Cotaco Creek to the South line of Section 29, Township 8, Range 1 West, being the County line between Morgan and Cullman Counties; thence due East to the point of beginning.

SECTION 2: All laws or parts of laws in conflict herewith are hereby expressly repealed.

SECTION 3: This act shall take effect upon its passage and approval by the governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four sucessive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1959.

B. C. SHELTON.

Sworn to and subscribed before me This July 8th, 1959.

R. H. JERVIS,
Notary Public.

My Commission Expires Oct. 15, 1961.

Aiso:

By Messrs. Hawkins, Sessions, Locke, Perry, Rast, Edwards, and Morrow:

H. 710. To authorize the Health Officer of any county of this state having a population of 500,000 or more according to the last or any subsequent federal census to obtain, perform or require an autopsy on or internal examination of the body of any person whose death the said Health Officer has reason to believe was caused by communicable disease or other cause related to the protection of the public health; to authorize the said Health Officer to make all necessary and reasonable orders to secure and facilitate the making of such autopsy or internal examination; to provide that it shall be a misdemeanor for any person to impede, interfere with or obstruct the said Health Officer in his making or performing of any such autopsy or examination, or to impede,

interfere with or obstruct any other person in making or performing such autopsy or examination at the request of the said Health Officer; and to provide for the payment of expenses relating to said autopsy or internal examination.

Also:

By Messrs. Perry, Rast, Locke, Morrow, Sessions, Edwards, and Hawkins:

H. 711. To provide for the relief of Lula Braxton, out of the general funds of the City of Birmingham, a municipality, Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of intention to apply at the current regular session or any special session of the legislature of Alabama, for introduction and passage of a bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A bill to be entitled an act for the relief of Lula Braxton the widow of Ben Braxton, and to authorize and direct the City of Birmingham, a municipal corporation, to pay to the said Lula Braxton, the sum of $5,000.00 for the death of her husband, April 23, 1958, as a consequence being hit by a motorcycle, owned by the City of Birmingham, on March 22, 1958, in the 3200 block of 5th Avenue, North, in the City of Birmingham.

Messenger — July 11, 18, 25; Aug. 1, 1959.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of July 11, 18, 25, Aug. 1, 1959, a legal notice, a copy of which is hereto attached.

Eleanor Abercrombie,
Publisher.

Sworn and subscribed to on this the 1st. day of August, 1959.

SARA WHEELER,
Notary Public.

Also:

By Messrs. Murphy and Hocklander:

H. 654. Relating to Mobile County; authorizing and directing the board of revenue and road commissioners of the county to establish and maintain a special fund to be used and expended by the sheriff of the county in law enforcement and in the conduct of his office; and regulating the disbursement of the moneys in this fund.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County; authorizing and directing the board of revenue and road commissioners of the county to establish and maintain a special fund to be used and expended by the sheriff of the county in law enforcement and in the conduct of his office; and regulating the disbursement of the moneys in this fund.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue and road commissioners of Mobile County is hereby authorized and directed to appropriate from the county treasurer each year an amount not less than one thousand eight hundred dollars ($1,800), to be used and expended by the sheriff of Mobile County as provided in Section 2 of this Act.

Section 2. The sheriff of Mobile County is hereby authorized to make requisition on such fund for the payment of expenses incurred by him in law enforcement and in the proper discharge and conduct of the duties of his office, as he may see fit. The county treasurer or other custodian of the funds of Mobile County shall make payments from this fund upon the requisition of the sheriff of Mobile County.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Register, Aug. 17, 24, 31, Sept. 7

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared A. A. Johnson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Comptroller of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 17, Aug. 24, Aug. 31, and Sept. 7, all in the year 1959.

A. A. JOHNSON.

Sworn to and subscribed before me September 8th, 1959.

GREG L. KENNY,
Notary Public.

Also:

By Mr. Grouby:

H. 772. Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the municipality of Prattville in Autauga County are hereby altered and rearranged to include within the corporate limits of the city the following described land lying and being in Township 17, Range 16, Autauga County:

Commencing at the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 3, Township 17, Range 16, thence West along the North line of Section 3, Section 4 and Section 5 of Township 17, Range 16, 7,920 feet to the point where the City Limits of the City of Prattville crosses the North line of Section 5 at the Northwest corner of the Northeast Quarter of the Northeast Quarter, of said Section, Township 17, Range 16, thence South along the present City Limits line to a point where same turns East thence East along said City Limits line to where same turns South, Thence South along said City Limits line to where same turns East, which point is the mutual corner of Section 4, 5, 8 and 9, Township 17, Range 16, thence East along said City Limits line to point where same turns South, thence South along said City Limits line to a point where same turns East, thence East along said City Limits line to a point where same turns Northwesterly, thence Northerly along said City Limits line to a point where same turns Easterly, thence West along the South line of said City Limits to the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 3, Township 17, Range 16, thence north along the East line of the West Half of the West half of Section 3, 5,280 feet to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 27A4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 27, Sept. 3, Sept. 10, and Sept. 17, all in the year 1959.

MRS. H. M. DOSTER,
Publisher.

Sworn to and subscribed before me Sept. 22, 1959.

LESSIE M. KREIS,
Notary Public.

Also:

By Mr. Dodd:
H. 785. Relating to game and fish in Lawrence County; to prohibit the use of gill nets, hoop nets, and trammel nets in taking, capturing, or killing fish in public waters anywhere in Lawrence County; prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to game and fish in Lawrence County; to prohibit the use of gill nets, hoop nets, and trammel nets in taking, capturing, or killing fish in public waters anywhere in Lawrence County; prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1, Whoever takes, captures, or kills any fish in public waters anywhere in Lawrence County by means of a gill net, hoop net, or a trammel net is guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding five hundred dollars or a term at hard labor for the county not exceeding six months, or both. And it shall be unlawful for any person to use a gill net, hoop net, or trammel net in commercial fishing operations in public water lying within Lawrence County, notwithstanding the fact that such person may hold a commercial fishing gear license issued pursuant to law or under the rules and regulations of the state department of conservation. The department of conservation shall see to it that this law is enforced.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its otherwise becoming a law.

STATE OF ALABAMA,
LAWRENCE COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Arthur F. Slaton, publisher of The Moulton Advertiser, a newspaper published in said State and County, who being sworn according to law, deposes and says that, the legal notice, copy of which is herewith attached, was duly published in The Moulton Advertiser for 4 consecutive weekly issues beginning with the issue of August 27, 1959 and ending with the issue of Sept. 17, 1959.

ARTHUR F. SLATON.

Subscribed and sworn to before me, this the 21 day of September, 1959 at Moulton, Alabama.

BETTY S. DYAR,
Notary Public.

My commission expires 5/29/63.

Also:

By Messrs. Shumate and Bevill:

H. 805. To levy in Walker County a county license tax in addition to all other taxes or licenses now required by law, on each package of cigarettes sold, stored, or received, for the purpose of distribution to any person, firm, corporation, club, or association within the county; to provide for the payment of the tax by the purchase and sale of stamps to be affixed to each package of cigarettes sold or distributed in such county; to provide for the ascertainment, collection, payment, distribution, and use of such license tax and for the enforcement of this Act; and to prescribe penalties and fix the punishment for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To levy in Walker County a county license tax, in addition to all other taxes or licenses now required by law, on each package of cigarettes sold, stored, or received, for the purpose of distribution to any person, firm, corporation, club, or association within the county; to provide for the payment of the tax by the purchase and sale of stamps to be affixed to each package of cigarettes sold or distributed in such county; to provide for the ascertainment, collection, payment, distribution and use of such license tax and for the enforcement of this Act; and to prescribe penalties and fix the punishment for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Walker County, and shall not have the effect of altering or repealing in any manner any statute

now in effect, but shall be in addition to and cumulative of all laws now in effect.

Section 2. Unless the context clearly indicates a different meaning, the following words and phrases whenever used in this Act shall have the meanings respectively ascribed to them in this section. (a) The term "person" means and includes every natural person, firm, corporation, club, partnership, company, trustee, agency, or association, or any agent, servant, employee, or officer thereof, singular or plural (b) The term "wholesale dealer" and "jobber" means and includes any person who sells or delivers within Walker County, at wholesale only, cigarettes to licensed retail dealers for the purpose of resale. (c) The term "retail dealer" means and includes every person, other than a wholesale dealer, who sells or delivers within Walker County any cigarettes and all persons operating under a retail dealer's license. (d) The term "dealer" means any wholesale or retail dealer as herein defined. (e) The term "storer" means any person who ships or causes to be shipped or receives cigarettes in Walker County, who stores the same in any manner and uses the same for any purpose other than for resale or reshipment outside the county. (f) The term "stamps" means the stamp or stamps by use of which the tax levied by this statute is paid. (g) The term "sale" means and includes any transfer of title or possession, or both, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, or for a consideration, or any agreement therefore including rewards, prizes, or premiums, of cigarettes given as a result of operation on punch boards, shooting galleries, or any other activity.

Section 3. In addition to all other taxes now imposed by law, every person who sells, stores, or delivers cigarettes in Walker County shall pay a license tax to the county, and a license tax is hereby fixed, created and levied in the amount of one cent (0.01) on each package of cigarettes containing not more than 20 cigarettes and one cent ($0.01) for each additional 20 cigarettes or fractional part thereof in such package sold, stored, or received for the purpose of distribution or sale to any person, firm, corporation, club, or association within such county; provided, however, that when the additional license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes. The tax levied by this Act shall be paid through the use of stamps as herein provided.

Section 4. Every person, firm, corporation, club, or association that sells or stores or receives for the purpose of distribution any cigarettes shall add the amount of the license or privilege tax levied and assessed herein to the price of the article, it being the purpose and intent of this provision that the tax levied is in fact a levy on the consumer with the person, firm, corporation, club, or association who sells or stores or receives for the purpose of distributing the cirgarettes acting merely as agent of the county for the collection of the tax. The dealer, storer, or distributor shall state the amount of the tax separately from the price of the cigarettes on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes. It shall be unlawful for any dealer, storer, or distributor engaged in or continuing within the county in the business for which the tax is herein required, to fail or refuse to add to the sales price and collect from the purchaser the amount due by the taxpayer on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof.

Any person, firm, corporation, club, or association violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars ($100.00) or imprisoned in the county jail for not more than sixty days, or by both such fine and imprisonment; and each act in violation of this section shall constitute a separate offense.

Section 5. The court of county commissioners, board of revenue, or other governing body of the county is hereby authorized and directed to have prepared and purchased stamps suitable for denoting the tax on cigarettes. The stamps shall be delivered to the probate judge of said county, who shall keep on hand for sale an adequate quantity of stamps to be affixed to each package of cigarettes. The expense of purchasing the necessary stamps for the county shall be paid, in the first instance, from the general funds of the county. However, the county general fund shall be reimbursed for such expense, from the proceeds of the tax levied by this Act, as provided in Section 10 hereof. Each stamp shall have inscribed thereon the words "Walker County Cigarette Tax", but such words need not be arranged in the foregoing order and may be abbreviated. Said stamps may be sold to the wholesale dealer by the probate judge at the reduced price of ninety percent of the full amount thereof, the reduced price from the full amount representing compensation to the wholesale dealer for the labor of affixing them to each package of cigarettes. All other persons except such wholesale dealers must pay the full amount of the stamps.

Section 6. Before any cigarettes shall be sold or delivered within the limits of the county by any wholesaler or dealer, such wholesaler or dealer shall affix to each package of cigarettes a stamp or stamps obtained from the probate judge of the county in the amount set out in this Act in payment of the license taxes imposed by this statute. Every dealer shall within one hour after the receipt of any cigarettes within the county, unless sooner offered for sale, cause stamps in the requisite amount of the tax to be affixed, as herein above stated and cause the same to be cancelled by writing or stamping across the face of each stamp a registered number furnished such dealer by the probate judge of the county. After such stamping has begun it shall be continued with reasonable diligence by such dealer until all the unstamped cigarettes have been stamped and the stamps cancelled as herein provided, but no stamps required to be affixed to any package or cigarettes shall, after the same has been affixed as herein provided, be again used in payment of any part of the tax under this statute. Such stamp shall be affixed to each individual package of cigarettes in such an manner that its removal will require continued application of water or steam; and in such a way that the stamp will be torn in two or mutilated when such package is opened.

Section 7. Every wholesale dealer shall at the time of selling and delivering any cigarettes into the county make a true duplicate invoice of the same which shall show full and complete details of the sale and delivery of such cigarettes and shall retain the same subject to the use and inspection of the license inspector or his duly authorized deputy for a period of three years. Wholesale and retail dealers shall also keep a record of the purchase, sale, exchange, and receipt of all cigarettes and hold all books, records, cancelled checks, and all other memoranda pertaining to such purchase, sale, exchange, and receipt for the period mentioned herein subject to the inspection of the license inspector or his duly authorized deputy at all reasonable times. Any person who purchases and receives, in any manner whatsoever, any cigarettes which do not have affixed a stamp required by this statute shall within three (3) days after receipt of such cigarettes report the receipt and purchase

of same to the license inspector, giving the date of purchase or receipt, the name of the person or firm from whom purchased or received, and a list describing the brand and quantity of cigarettes so purchased or received. Such report must be made by registered or certified mail or in person. It shall be unlawful for any person to interfere with or obstruct the license inspector or his deputy.

Section 8. Among others the following acts and omissions shall be unlawful: (a) It shall be unlawful for any person required by this statute to affix stamps to cigarettes to fail to affix such stamps or to fail to cancel stamps in the manner or within the time required by this statute (b) It shall be unlawful for any person to sell, offer for sale, or deliver within the county any cigarettes to which stamps have not been affixed and cancelled as provided by this statute. (c) It shall be unlawful for any person to have in his possession or under his control a package of cigarettes not properly stamped as required by this Act for more than six hours after receipt of such cigarettes on the premises of such person, provided that this subsection shall not apply to cirgarettes in the possession of wholesale dealers or jobbers kept for the purpose of resale or reshipment outside this county and which cigarettes are actually so resold or reshipped. (d) It shall be unlawful to manufacture, buy, sell, offer for sale, or possess, or attempt any reproduction or counterfeit of the stamps provided for in this statute or to possess tools,, implements, instruments, or materials of any kind necessary or appropriate to reproduce or counterfeit such stamps or to alter or cause to be altered any stamps herein provided for. (e) It shall be unlawful to remove from a package of cigarettes or otherwise prepare any stamp with intent to use or cause the same to be used after it has already been used; to buy, sell or offer for sale any such stamp to any person or to have in possession any such washed, removed, restored, of altered stamp, or, for the purpose of indicating the payment of any tax hereunder, to reuse any tax stamp which has heretofore been used for the payment of any tax provided in this Act, or, except as to the probate judge, to sell any stamp provided for herein. (f) It shall be unlawful to reuse or refill with cigarettes any package from which cigarettes theretofore tax have been removed.

Section 9. (a) None of the provisions of this Act shall be applied in such manner as to be in violation of the commerce or other clauses of the federal or state constitutions (b) This statute shall not be construed to apply to cigarettes stored by a wholesale dealer for the purpose of resale or reshipment outside Walker County which are actually so resold or reshipped.

Section 10. The license tax required to be paid by this Act through the purchase of tobacco stamps from the probate judge shall be received by him and shall be paid by him into a separate fund in the county treasury. All the proceeds of this tax, less the amounts which the probate judge shall from time to time deduct herefore and pay into the general fund of the county, to reimburse the general fund for expenses incurred in purchasing the required stamp, shall be used exclusively for the purpose of providing hospital care and treatment for indigent residents of the county, or for the purpose of matching any state or federal funds made available for use in providing hospital care and treatment for indigent residents of Peoples Hospital or for the purpose of matching any federal funds which may be made available for the equipping, alteration, expansion, enlargement, improvement, or operation of the hospital.

Section 11. Any person violating any of the provisions of this Act, or doing any act made unlawful by the terms of this Act, shall upon

conviction, be punished by a fine of not more than five hundred dollars ($500.00) and may also be confined in jail for not exceeding six months, either or both. It shall be the duty of the license inspector to enforce the provisions of this Act and to check the records of any person subject to the license tax imposed by this Act.

Section 12. The provisions of this Act are severable. If any part is declared unconstitutional or invalid such declaration shall not affect the part which remains.

Section 13. This Act shall become effective Oct. 15, 1959 upon its passage and approval by the Government, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared William G. Jones, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 28, Sept. 3, Sept. 10, and Sept. 17, all in the year 1959.

WILLIAM G. JONES, JR.

Sworn to and subscribed before me 17th day of Sept., 1959.

LATHAM G. SADDLER,
Notary Public.

Also:

By Messrs. Perry, Edwards, Hawkins, Rast, Locke, Morrow and Sessions:

H. 781. For the relief of V. Chambliss authorizing the County Commission of Jefferson County, Alabama, to make an appropriation from the County Treasury to compensate V. Chambliss for certain damages.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY
FOR ADOPTION OF LOCAL ACT

Notice is hereby given that at the regular session of the Legislature of Alabama of 1959, which will reconvene on or about September 8, 1959, application will be made to the Legislature of Alabama for the adoption of a local act applicable to Jefferson County, Alabama, which will provide as follows:

Section 1. That the County Commission of Jefferson County, Alabama, is hereby authorized and empowered to appropriate from the County Treasury One Thousand Thirty-Five and 48/100 Dollars ($1,035.48) for the relief of V. Chambliss to compensate him for damages done in 1958 to a well situated on lands owned by him, as a consequence of the construction by Jefferson County, Alabama, of Patton's Creek Trunk Sanitary Sewer, Section 3, and Patton's Creek Sewage

Treatment Plant, under such circumstances that the County is morally obligated to pay the damages but the said Chambliss has no recourse at law to recover the same. If the County Commission concludes that the said County, in compensating the said Chambliss for the damages as aforesaid, can save money by purchasing in the name of the County any equipment or material required to be installed, or by entering into any contract in the name of the County for work or material secured to compensate Chambliss for the said damages as aforesaid, the County shall be authorized to do so; provided, however, that the total amount spent by the County, including any amount paid by the County on any such contract and the amount paid directly to said Chambliss, shall not exceed the said sum of One Thousand Thirty-Five and 48/100 Dollars ($1,035.48).

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of Aug. 29, Sept. 5, 12, 19, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 21st day of September, 1959.

SARA WHEELER,
Notary Public.

Also:

By Messrs. Morrow, Hawkins, Sessions, Perry, Locke, Edwards and Rast:

H. 783. To amend Section 4 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 approved September 12, 1951 (Acts 1951, page 1579) as amended by Act No. 194 of the 1955 session of the Legislature of Alabama (Acts 1955, page 478) entitled "AN ACT to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

By Messrs. Perry, Hawkins, Edwards, Rast, Locke, Morrow, and Sessions:

H. 784. For the relief of Mrs. E. H. Golden and L. L. Tryon, authorizing the County Commission of Jefferson County, Alabama, to make an appropriation from the County Treasury to compensate the said Golden and Tryon for certain damages.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY
FOR ADOPTION OF LOCAL ACT

Notice is hereby given that at the regular session of the Legislature of Alabama of 1959, which will reconvene on or about September 8, 1959, application will be made to the Legislature of Alabama for the adoption of a local act applicable to Jefferson County, Alabama, which will provide as follows:

Section 1. That the County Commission of Jefferson County, Alabama, is hereby authorized and empowered to appropriate from the County Treasury a sum not to exceed Two Thousand Dollars ($2,000.00) for the relief of Mrs. E. H. Golden and L. L. Tryon to compensate them for damages done in 1958 to wells situated on lands owned by them, as a consequence of the construction by Jefferson County, Alabama, of Patton's Creek Trunk Sanitary Sewer, Section 3, and Patton's Creek Sewage Treatment Plant, under circumstances that the County is morally obligated to pay the damages but the said Golden and Tryon have no recourse at law to recover the same. If the County Commission concludes that the said County, in compensating the said Golden and Tryon for the damages as aforesaid, can save money by purchasing in the name of the County any equipment or material required to be installed, or by entering into any contract in the name of the County for work or material secured to compensate Golden and Tryon for the said damages as aforesaid, the County shall be authorized to do so; provided, however, that the total amount spent by the County, including any amount paid by the County on any such contract and the amount paid directly to said Golden and Tryon, shall not exceed the said sum of Two Thousand Dollars ($2,000.00).

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of Aug. 29, Sept. 5, 12, 19, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 21st day of September, 1959.

SARA WHEELER,
Notary Public.

Also:

By Messrs. Perry, Locke, Morrow, Edwards, Hawkins, Rast, and Sessions:

H. 810. To fix and require the payment of fees and costs in each case filed in the Jefferson County Civil Court; to require that all such fees be paid into the county Treasury of Jefferson County; and to provide the effective date of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF THE INTENTION TO
APPLY FOR THE PASSAGE
OF A LOCAL LAW

Pursuant to Section 106 of the Alabama Constitution of 1901, notice hereby is given that a local bill will be introduced during the Regular Session of the Legislature of Alabama reconvening on August 25, 1959, to fix and require the payment of fees and costs in each case filed in the Jefferson County Civil Court; to require that all such fees be paid into the County Treasury in Jefferson County; and to provide the effective date of said act.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of Aug. 8, 15, 22, 29, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 1 day of September, 1959.

SARA WHEELER,
Notary Public.

Also:

By Messrs. Ferguson and Callahan:

H. 803. To amend Sections 1, 3, and 4 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session, 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; altering, modifying, and changing the rate of tax provided for therein and extending the applicability of such taxes to certain sales and to the storage, use, or other consumption of certain property within Tuscaloosa County heretofore exempt, and redefining certain terms.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the present Regular Session of the Legislature of Alabama a bill substantially as follows will be introduced, and application for its passage will be made:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1, 3, and 4 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; altering, modifying and changing the rates of tax provided for therein and extending the applicability of such taxes to certain sales and to the storage, use, or other consumption of certain property within Tuscaloosa County heretofore exempt, and redefining certain terms.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County, is hereby amended to read as follows:

"Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the following respective meanings:

The words "the state" mean the State of Alabama.

The words "the county" mean Tuscaloosa County in the state.

The words "the city" mean the City of Tuscaloosa in the state.

The words "the county board of education" mean the board of education of Tuscaloosa County, Alabama.

The words "the city board of education" mean the board of education of the City of Tuscaloosa, Alabama.

The words "the hospital board" mean the Druid City Hospital Board created by Act No. 540 adopted at the 1947 Regular Session of the Legislature of Alabama, approved 8 October 1947.

The words "the tax board" mean the Tuscaloosa County Special Tax Board created in Section 9 of this act.

The words "state sales tax statutes" mean the provisions of Act No. 100 adopted at the Special Session of the Legislature of Alabama which convened on 24 June 1959, approved 18 August 1959, and which becomes effective on 1 October 1959.

The words "state use tax statutes" mean the provisions of Article 11 of Chapter 20, Title 51, Code of Alabama of 1940, as amended by Act No. 99 adopted at the Special Session of the Legislature of Alabama which convened on 24 June 1959, approved 18 August 1959.

The words "quarterly period" mean each period of three calendar months commencing on each January 1, April 1, July 1, and October 1.

Pronouns include all genders.

Those of the words and phrases used in Section 3 of this act that are defined in the state sales tax statutes shall have the meanings respectively given them in the state sales tax statutes. Those of the words and phrases used in Section 4 of this act that are defined in the state use tax statutes shall have the meanings respectively given them in the state use tax statutes."

Section 2. Section 3 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County, as amended by Act No. 250 of the Regular Session of the Legislature of Alabama of 1957, approved August 13, 1957 (Acts of Alabama, Regular Session 1957, Page 322), is hereby amended to read as follows:

"Section 3. Levy of Sales Tax. There is hereby levied in the county, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipt, as the case may be, as follows:

(a) Upon every person, firm, or corporation (including the State of Alabama and its Alcoholic Beverage Control Board in the sale of alcoholic beverages of all kinds, the University of Alabama, and all other institutions of higher learning in the county, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged, or continuing within the county, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1 per cent) of the gross proceeds of sales of the business, except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the entire business.

(b) Upon every person, firm, or corporation engaged or continuing within the county, in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football, basketball, and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be a denominational, state, county, or municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the county, an amount equal to one per cent (1 per cent) of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within the county in the business of selling at retail machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily so used, an amount equal to one-half of one per cent (½ of 1 per cent) of the gross proceeds of the sale of such machines, attachments, parts and replacements therefor.

(d) Upon every person, firm or corporation engaged or continuing within the county in the business of selling at retail any automotive vehicle or truck trailer or semi-trailer, an amount equal to one-half of one per cent (½ of 1 per cent) of the gross proceeds of the sale of said automotive vehicle or truck trailer or semi-trailer. Where any such automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

Each exemption provided for in the state sales tax statutes, and as they may from time to time hereafter be amended, shall, during the period of time when such exemption shall be effective in said statutes, be applicable to the tax levied in this section; provided, that in the event of the repeal of the state sales tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. In addition thereto, and except as expressly enumerated hereinabove, there are hereby exempted from the tax levied in this section the gross receipts or gross proceeds of any business engaged in by any city or town in Tuscaloosa County. In the absence of any express provision herein to the contrary, all provisions and procedures with respect to the application for and issuance of licenses, the making of returns or reports, the contents of returns or reports, collection and payment of taxes, keeping of records, reporting and paying taxes with respect to sales on credit, determination of the amount of the tax due, penalties, assessments, notices, and examinations of taxpayers and their books provided for in the state sales tax statutes with respect to the tax levied in those statutes shall be applicable to the tax levied in this section, excepting however the procedure for appeals from assessments, and such appeals, shall be made as hereinafter set forth; provided however that any procedure or provision involving the State Department of Revenue which is incorporated herein by reference to the state sales tax statutes shall be deemed to apply, with respect to the tax levied in this section to the tax board. Every person, firm, or corporation engaged in any business upon which the tax levied in this section is imposed shall add the tax herein levied to the sales and admission price with respect to which the said tax is levied and shall collect the same from the purchaser."

Section 3. Section 4 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County, is hereby amended to read as follows:

"Section 4. Levy of Use Tax.

(a) An excise tax is hereby imposed on the storage, use or other consumption in the county of tangible personal property purchased at

retail on or after the 1st day of October, 1959, for storage, use or other consumption in the county at the rate of one per cent (1 per cent) of the sale price of such property, regardless of whether the retailer who made the sale is or is not engaged in business in the county, except as provided in subsections (b) and (c) of this section.

(b) An excise tax is hereby imposed on the storage, use or other consumption in the county of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machine, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machine, purchased at retail on or after the 1st day of October, 1959, for storage, use or other consumption in the county, at the rate of one-half of one per cent (½ of 1 per cent) of the sales price of such machine or the parts, attachments, or replacements therefor.

(c) An excise tax is hereby imposed on the storage, use or other consumption in the county of any automotive vehicle or truck trailer and semi-trailer purchased at retail on or after October 1, 1959, for storage, use or other consumption in the county at the rate of one-half of one per cent (½ of 1 per cent) of the sales price of such automotive vehicle, truck trailer or semi-trailer.

Every person storing, using or otherwise consuming in the county tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in the county, showing that the property in question was purchased at retail from such retailer, and the tax levied in Section 3 hereof has been paid with respect to the purchase at retail of such property shall be sufficient to relieve the purchaser from further liability for a tax under this section with respect to the use, storage or consumption of such property. Each exemption provided for in the state use tax statutes, as amended by Act No. 99 of the 1959 Special Session of the Legislature of Alabama, approved 18 August 1959, and as they may from time to time hereafter be amended, shall, during the period of time when such exemption shall be effective in said statutes, be applicable to the tax levied in this section; provided that in the event of the repeal of the state use tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. All provisions and procedures with respect to the filing of returns, collections and payment of taxes, keeping of records, making of reports, determination of the amount of the tax due, penalties, assessments, notices, examinations of taxpayers and their books provided in the state use tax statutues, as hereafter amended, with respect to the tax levied in those statutes shall be applicable to the tax levied in this section excepting, however, the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided, however, that any procedure or provision involving the State Department of Revenue which is incorporated herein by reference to the state use tax statutes shall be deemed to apply with respect to the tax levied in this section, to the tax board.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 5. This Act shall take effect October 1, 1959.

Aug. 24-31 Sept. 7, 14-4TC

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 24, August 31, September 7, and September 14, all in the year 1959.

BUFORD BOONE.

Sworn to and subscribed before me September 15, 1959.

LILLA COLLINS,

Notary Public in and for Tuscaloosa County, Alabama.

Also:

By Messrs. Brewer and Gilchrist

H. 796. To permit any bank now or hereafter having a combined or paid-up capital and paid-in or earned surplus of more than $500,000 and having an authorized office or place of business in Decatur, Alabama, to establish, maintain and operate additional offices or places of business in such city or police jurisdiction thereof, with the approval of the Superintendent of Banks.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the present session of the Legislature of Alabama a bill, substantially as follows, will be introduced and application for its enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To permit any bank now or hereafter having a combined or paid-in capital and paid-in or earned surplus of more than $500,000 and having an authorized office or place of business in Decatur, Alabama, to establish, maintain and operate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the approval of this Act any bank authorized to engage in the banking business in Decatur, Alabama, now or hereafter having a combined paid-in capital and paid-in or earned surplus of more than $500,000, and having an office or place of business in Decatur, Alabama, shall have power to establish, maintain and operate within the limits of such city or the police jurisdiction thereof, one or more branches or additional offices or places of business, provided that such bank, before the establishment of any such branch or additional office or additional place of business shall first

secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. This Act shall take effect immediately.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 28, Sept. 4, 11, and 18, all in the year 1959.

B. C. SHELTON.

Sworn to and subscribed before me Sept. 18, 1959.

R. H. JERVIS,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 690, 691, 692, 704, 707, 706, 736, 738, 740, 742, 710, 711, 654, 772, 785, 805, 781, 783, 784, 810, 803 and 796 — to the Committee on Local Legislation.

(The above Bill, H. B. 706, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 235. To amend the caption and Section 2 of Act No. 308, S. 193, approved August 26, 1955 (Acts of Alabama, 1955, p. 707), entitled "An Act To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of $1.00 for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department," by providing further for the issuance of such distinctive motor vehicle license plates.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

By Mr. Robison:

S. 314. To amend Section 1 of Act No. 325, S. 379, approved August 11, 1953, the act fixing the compensation to be paid to members of the governing body in all cities having a population of not less than 78,500 nor more than 125,000, according to the last or any subsequent federal decennial census (Acts of Alabama, Regular Session 1953, Vol. I, p. 382).

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 67. To make an appropriation from the Oil and Gas Fund to the State Building Commission for the purpose of constructing and equipping a building to house and quarter the records, offices and facilities of the State Oil and Gas Board.

Also:

S. 238. To provide for the distribution of the 2% tax levied on the producer of crude petroleum oil or natural gas produced for sale, transport, storage, profit, or for use from any well or wells in the State of Alabama pursuant to Section 26, of Act No. 1, approved May 22, 1945, as amended by Act No. 453, approved August 31, 1953; to provide for the transfer of $100,000.00 to the General Fund from such surplus funds in the State Treasury to the credit of the Oil and Gas Fund as of September 30, 1959; to repeal all laws or parts of laws, especially Section 32 of Act No. 1, approved May 22, 1945; and to provide an effective date for this Act.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Edwards, Rast, Morrow, Locke, Perry, Sessions, Hawkins:

H. 782. To apply in, but only in, counties which have a population of 500,000 or more, according to the last or any subsequent Federal Census, and which counties are, or hereafter become, Wet Counties under Section 68 of Title 29 of the 1940 Code of Alabama; and to require the payment to such counties of a license tax in addition to all other taxes and licenses required by law, of ten cents on each quantity of less than one half pint, and twenty five cents on each one half pint or more of alcoholic, spirituous, vinous or fermented liquor sold, dis-

tributed, delivered, stored, or taken out of storage within such counties; and to provide for the ascertainment, collection, payment and distribution of such license tax and for the enforcement of this Act; and to prescribe penalties and fix punishment for the violation of any of the provisions of this Act.

Also:

By Mr. Cook:

H. B. 698. Relating to and providing for the reidentification of electors in Coffee County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL ADVERTISING

STATE OF ALABAMA
COUNTY OF COFFEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to and providing for purgation of voter lists in Coffee County; requiring the reidentification of qualified electors of the county; imposing certain duties in this respect on voters, the registrars of the county, the probate judge, the county governing body, election officials, and persons who are required by law to prepare and file death certificates; prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Coffee County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all persons who are deceased or non-residents of the county, or have otherwise become disqualified from voting in Coffee County, shall be removed from such lists, and that the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors in the county the name of any person who fails to reidentify himself, in the manner prescribed herein, before the first day of January, 1961; provided that no one who has registered as a qualified elector of the county since January 1, 1959, shall be required to reidentify himself. No person whose name is removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote.

Section 3. A voter may reidentify himself in any one of the following ways:

(a) A voter may reidentify himself by appearing in person at the office of the board of registrars or the judge of probate or one of the authorized employees of the judge of probate and answering such questions and submitting such proof as may be set forth hereinafter to establish the voters identity and place of legal residence and that the voter has not been disqualified from voting in the county.

(b) As a further aid to reidentification, prior to the first day of January, 1961, the board of registrars of Coffee County is hereby authorized, directed, and required to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten (10) days notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session in each beat for such times as the boards deems necessary to enable the qualified electors of such beat to appear and reidentify themselves in the manner prescribed herein. No voter shall appear and reidentify himself at any place except in the beat in which he resides or in the courthouses of the county.

(c) A voter who is on active duty in the Army, Navy, or Air Force of the United States or the husband or wife of a member of the Armed Forces on active duty, may also reidentify himself or herself by filling in and mailing to the office of the judge of probate, for transmittal to the board of registrars, the completed answer to such questions as set forth in the questionnaire hereinafter detailed, and the questionnaire must be witnessed by a commissioned officer of the Army, Navy, or Air Force.

(d) The questionnaire to reidentify a voter shall be in substantially the following form:

VOTERS REIDENTIFICATION
QUESTIONNAIRE

Coffee County, Alabama

Date _____, 19___

Name _____
First Middle Last

Legal Residence Address _____
Street

City or Town _____ State_____.

Date of Birth _____ Sex_____ Color_____.

I now vote and I am a qualified elector in Precinct or Beat No._____

Box No. _____ Coffee County, and I have not been disqualified from voting in the county.

I have resided in Precinct or Beat No. _____ for the past three months.

Signed _____
Signature of Voter.

Witnessed before me this_____day of_____, 19_____

REGISTRAR - PROBATE JUDGE - ELECTION OFFICIAL - COMMISSIONED OFFICER U. S. ARMED FORCES.

Section 4. Any qualified elector in the county who shall have his or her name omitted or removed from the list of qualified electors in the county by reason of his or her failure to reidentify himself or herself as hereinbefore provided or his or her name be otherwise purged therefrom, shall be entitled to have his or her name restored to the list of qualified electors by appearing in person and reidentifying himself or herself in person at the office of the board of registrars or judge of probate in the manner hereinbefore provided for; however, after January 1, 1961, every qualified elector must have reidentified himself or herself at least thirty (30) days prior to voting.

Section 5. It shall be the duty of the board of registrars in Coffee County to notify by mail each person whose name shall be removed from the lists of qualified electors, whether by purging or for failure of such elector to reidentify himself as herein provided, at his last known address as shown by the records of the board.

Section 6. Any person who willfully makes a false statement in answer to the reidentification questionnaire in reidentifying himself as a qualified elector in the manner provided herein, shall be guilty of perjury, and upon conviction shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 7. The board of registrars shall meet as often as necessary and on such dates as the board may by order fix for the purpose of purging the list of qualified electors of the county. The board may meet any number of days not exceeding thirty (30) days per annum in excess of the maximum now provided by law for the purpose of purging such list, and shall be entitled to the same per diem allowances for meeting on such dates, in excess of the maximum, as now provided by law.

Section 8. Each person, firm, or hospital in Coffee County now required by law to provide death certificates for deceased persons is hereby authorized, directed, and required to forward duplicate copies of such death certificates to the office of the probate judge, for transmittal to the board of registrars to be used by the board in purging the list of qualified electors of such deceased persons names. The board of registrars is hereby authorized, directed, and required to purge the list of qualified electors of names of deceased persons provided by such death certificates within 90 days following such persons death.

Section 9. Voting lists will be prepared alphabetically within the beat and box and in the beats having more than one box, lists will be prepared so as to assign each elector to one box within the beat, this assignment to be either alphabetically or by precinct within the beat at the election of the court of county commissioners at their next regular meeting following the date this Act becomes law.

Section 10. The court of county commissioners of Coffee County is hereby authorized, directed, and required to furnish the board of registrars with the supplies, equipment, printed forms, stationary, stamps, clerical assistance and newspaper advertisements necessary for the reidentification of voters as herein provided.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COFFEE COUNTY

Manuel Segall, of said state and county, being first duly sworn, on his oath says:

That he is the publisher of The Enterprise Ledger, a weekly newspaper of general circulation, printed and published in the City of Enterprise in said county and state, and has been such during the time hereinafter mentioned, and that the advertisement headed: Legal (A Bill To Be Entitled An Act) a printed copy of which is hereto attached, was printed and published in every copy of each issue of said newspaper for a period of 4 consecutive weeks, to wit:

First Publication August 20, 1959

Second Publication August 27, 1959

Third Publication September 3, 1959

Fourth Publication September 10, 1959.

MANUEL SEGALL,
Publisher.

Sworn to and subscribed before me this the 14 day of September, 1959.

ROY M. SHOFFNER,
Notary Public.

My commission expires: 2-27-63.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 782 and 698 — to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 311. To amend further Section 1 of Act No. 311, S. 411, approved July 31, 1951, an act regulating the office of sheriff in counties of more than 96,000 population and less than 140,000 population, according to the last or any subsequent federal decennial census (Acts 1951 Regular Session, Vol. 1, p. 606), in relation to the employment of deputies, clerks, wardens, jailers, and other assistants by the sheriffs of such counties.

Also:

S. 305. To alter, extend, and rearrange the boundary lines and corporate limits of the city of Fayette in Fayette County, Alabama.

Also:

S. 329. To amend further Section 11 of Act No. 311, H. 904, approved September 19, 1923 (Local Acts of Alabama 1923, p. 188), entitled "An Act To establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County."

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 128. Relating to supernumerary circuit solicitors; amending Section 1 of an act approved September 3, 1953 (Act No. 474, S. 219, Acts 1953, Vol. 1, p. 589) providing for the appointment of supernumerary circuit solicitors of the State of Alabama, to provide that any person holding office as a judge of a court of record who has served continuously as a circuit solicitor for twenty years or more may become a supernumerary circuit solicitor.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Turner, the Senate concurred in and adopted the following House amendment to the Bill, the title of which is set out in the foregoing Message from the House:

HOUSE AMENDMENT TO S. B. 128

Amend the Title by deleting from lines 5 and 6 the words "court of record" and insert in lieu thereof the words "County Law and Equity Court on January 1, 1960"

In Section 1, Subsection 1, Line 6 strike out the words "court of record" and insert in lieu thereof the following words and figures: "County Law and Equity Court on January 1, 1960"

In Section 1, Subsection 1, Line 9 after the word "service" add the following words "as such solicitor or judge"

In Section 1, Subsection 1, Line 12, strike out the words "circuit solicitor" and insert in lieu thereof the word "person"

AMENDMENT TO S. B. 128

After Section 1 Add the following:

Section 1a. For the purposes of this Act, service in the Armed forces of the United States shall not be deemed to interrupt continuous service as such Circuit Solicitor.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Roberts	
Archer	Dumas	Hines	Robison	
Barnett	Eddins	Jones	Samford	
Berryman	Farmer	Kendall	Shelton	
Caffey	Gaither	Leonard	Turner	
Clark	Givhan	Moses	Webb	
Cooper	Golson	Porter	Wyatt	
Crawford	Green			—29

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brewer and Gilchrist:

H. 737. To amend further Section 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County on a salary, prescribed certain duties of the judge of probate, and provided for clerical assistance, office space, supplies, and equipment necessary for the operation of his office; providing further for the clerk-hire allowance of the judge of probate.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County on a salary, prescribed certain duties of the judge of probate, and provided for clerical assistance, office space, supplies, and equipment necessary for the operation of his office; providing further for the clerk-hire allowance of the judge of probate.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), as amended, which placed the judge of probate of Morgan County on a salary, prescribed certain duties of the judge of probate, and provided for clerical assistance, office space, supplies, and equipment necessary for the operation of his office, is amended further to read as follows:

"Section 4. The Board of Revenue and Control of Morgan County, Alabama, or other like governing body of the county, shall provide the judge of probate with the necessary books, records, equipment, furniture,

fixtures, stationery, postage, and other supplies, and with sufficient clerks and assistants. The judge shall have the authority to select and employ and discharge at will his clerks and assistants, and to fix their compensation, but the total compensation of such clerks and assistants shall not exceed such sum as the Board of Revenue and Control or other county governing body shall allow therefor, not to exceed the sum of nineteen thousand three hundred dollars ($19,300.00) per annum. The board shall have authority and it shall be its duty to make an allowance for such compensation and to raise and lower the same from time to time, subject to the maximum of nineteen thousand three hundred dollars ($19,300.00), as conditions and circumstances may warrant."

Section 2. This Act shall become effective on October 1, 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 12, 19, 26, and Sept. 2, all in the year 1959.

B. C. SHELTON.

Sworn to and subscribed before me Sept. 14, 1959.

R. H. JERVIS,
Notary Public.

Also:

By Messrs. Brewer and Gilchrist:

H. 739. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Morgan County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Morgan County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Morgan County, Alabama, shall hereafter establish and maintain a public law library in said County and, to accomplish said purpose, shall from time to time expend such public funds of said County as are hereinafter provided for said purpose and shall provide suitable housing quarters, furniture, fixtures and equipment therefor, shall keep the same in a good state of maintenance and repair, from time to time shall enlarge, expand and improve such facilities and equipment, and shall pay such expenses and salaries as may be necessary and proper to operate the same out of such special fund hereinafter provided as hereinafter set forth.

Section 2. To provide revenue for the establishment, maintenance, operation and financing of said library there are hereby taxed as costs the sum of $1.00 in each civil or quasi civil action at law, suits in equity, criminal cases, quasi criminal proceedings or forfeited bail bond proceedings or proceedings on a forfeited bond given in connection with an appeal from judgment or conviction in any Justice of the Peace Court or municipal Court to the Morgan County Court of Morgan County, Alabama, or the Circuit Court of Morgan County, Alabama, which costs shall be collected upon such suit or case filed in, arising in or brought by appeal, certiorari or otherwise to the Circuit Court of Morgan County, Alabama, or the Morgan County Court of Morgan County, Alabama, which costs shall be collected as other costs in such cases are collected by the Clerk of said Court or the Register in Chancery thereof, as the case may be, and shall be paid to the treasurer of Morgan County, Alabama, which shall be kept by him in a separate fund designated as "Morgan County Law Library Fund" and shall be expended by the Morgan County Library Management Committee hereinafter created on warrants of the Chairman of said committee drawn on the treasurer of Morgan County for expenditures as hereinafter provided with said warrants bearing the notation of the funds against which the same are drawn.

Section 3. The management of said law library is vested in the Morgan County Library Management Committee which shall consist of the Circuit Judges of the Circuit Court of Morgan County, Alabama, the Judge of the Morgan County Court of Morgan County, Alabama, the President of the Morgan County Bar Association, and the Secretary-Treasurer of the Morgan County Bar Association. The presiding Judge of the Circuit Court of Morgan County, Alabama, shall be the Chairman of the Morgan County Library Management Committee, and such committee shall have full and complete authority to purchase such books and periodicals as may in the opinion of said committee be advisable, and said committee may from time to time sell or exchange any books, reports, periodicals and personal property for other books or may apply the proceeds of the sale thereof upon the purchase of other books, reports, periodicals and personal property for use in said library, and said committee may accept any gifts and loans of any such books, reports, periodicals and personal property for use in said library upon such terms and conditions as may be agreeable to said committee and to the donor or lender thereof. The committee may employ or use such personnel as may be necessary and proper to operate said library and may designate any employee of the Court or may employ other Court officials to operate the same or to assist therein.

Section 4. The Morgan County Library Management Committee shall have full authority to execute and enter into contracts in connection with the operation and maintenance of said law library and may purchase such books and periodicals on such terms as it may deem expedient and in the best interest of the law library in order to carry out the purposes and intent of this act, and any and all such contracts

shall be a proper charge against the law library fund of Morgan County only and shall not be a general obligation of the County or an obligation of the committee as individuals.

Section 5. The said items of costs above taxed and referrred to shall be designated in said costs as "Law Library Fee" and when any costs in such case or proceedings shall have been paid, the amount necessary for the payment of said fee shall be applied thereto, except that in the case of a part payment of any cost bill in any case or proceedings a proportionate amount of said fee shall be paid in proportion to the relation said fee bears to the total cost bill; the Clerks of the respective Courts and the Register in Chancery shall pay to the said County Treasurer the amounts collected for said law library fees on or before the 10th day of each month following their collection.

Section 6. All books, periodicals, reports and personal property of the Morgan County Law Library shall be the property of Morgan County, Alabama.

Section 7. If any sentence, clause, provision or section of this act shall be declared invalid, the remainder of said act shall not be affected, and the remainder thereof shall remain in full force and effect, notwithstanding such declaration with reference to any other part hereof.

Section 8. This act shall become effective following its passage and approval by the Governor or upon its otherwise becoming a law on October 1, 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 20, Aug. 27, Sept. 3, and Sept. 10, all in the year 1959.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Sept. 15, 1959.

ESTELLE J. ODEN,
Notary Public.

My commission expires Oct. 29, 1960.

Also:

By Messrs. Gilchrist and Brewer:

H. 741. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), as amended, which fixed compensation or salary, to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor, is amended further to read as follows:

"Section 1. The salary of the Tax Assessor of Morgan County, Alabama, shall be SEVEN THOUSAND TWO HUNDRED DOLLARS ($7,200.00) per year, and shall be paid out of the County Treasury of Morgan County, in equal monthly installments, at the end of each month."

Section 2. Section 3 of Act. No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), as amended, which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor, is amended further to read as follows:

"Section 3. The Board of Revenue and Control, or like governing body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax assessor, but the tax assessor shall select such clerks, deputies and assistants and fix their compensation, but the combined salaries or compensation of such clerks, deputies, and assistants selected by him shall not exceed SIX THOUSAND TWO HUNDRED DOLLARS ($6,200.00) per annum. The tax assessor shall have the right to discharge such clerks, deputies, and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants shall be paid in equal semimonthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body of Morgan County, shall pay for all necessary traveling expenses for annual trips over the county as required by law, but the tax assessor shall furnish all necessary drawings, maps, registers and plats as required by law, including land and lot books provided for by sections 66 and 67 of Title 51 of the Code of Alabama of 1940, and the books, commonly known as 'Tax Abstract,' provided for by section 65 of Title 51 of the Code of Alabama of 1940, without compensation, charges, or expense to Morgan County, for the same, or the preparation of the same. The compensation of the clerks and assistants shall be paid in

semi-monthly installments upon their filing with the chairman of the board of written claims therefor, for correctness of which shall be verified by the oath or affirmation of the tax assessor and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to the tax assessor from time to time as conditions may warrant, not to exceed however the sum of SIX THOUSAND TWO HUNDRED DOLLARS ($6,200.00) per annum."

Section 3. Section 1 of this Act shall become effective upon the expiration of the term of the incumbent tax assessor of Morgan County, in accordance with the provisions of Amendment XCII to the Constitution of Alabama. Section 2 of this Act shall become effective October 1, 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 12, 19, 26, and Sept. 2, all in the year 1959.

B. C. SHELTON.

Sworn to and subscribed before me Sept. 2, 1959.

R. H. JERVIS,
Notary Public.

Also:

By Messrs. Gilchrist and Brewer:

H. 743. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, P. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, P. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), as amended, which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector, is amended further to read as follows:

"Section 1. The salary or compensation of the Tax Collector of Morgan County, Alabama, shall be SEVEN THOUSAND TWO HUNDRED DOLLARS ($7,200.00) per annum, and said annual salary shall be paid out of the county treasury of Morgan County, in equal monthly installments, at the end of each month."

Section 2. Section 3 of Act. No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, p. 278), as amended, which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector, is amended further to read as follows:

"Section 3. The Board of Revenue and Control or like governing body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax collector, but the tax collector shall select such clerks, deputies and assistants and shall fix their compensations, but the combined salaries or compensation of such clerks, deputies and assistants selected by him shall not exceed SIX THOUSAND TWO HUNDRED DOLLARS ($6,200.00) per annum. The tax collector shall have the right to discharge such clerks, deputies and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants shall be paid in equal semi-monthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body, of Morgan County, shall pay for all necessary traveling expenses for annual trips over the county as required by law, but the tax collector shall furnish all necessary reports, registers, and lists of qualified voters as required by law, without additional charge or compensation therefor. The compensation of the clerks and assistants shall be paid in semi-monthly installments upon their filing with the chairman of the board of written claims therefor, the correctness of which shall be verified by the oath or affirmation of the tax collector and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to the tax collector from time to time as conditions may warrant not to exceed, however, the said sum of SIX THOUSAND TWO HUNDRED ($6,200.00) per annum."

Section 3. Section 1 of this Act shall become effective upon the expiration of the term of the incumbent tax collector of Morgan County, in acordance with the provisions of Amendment XCII to the Constitution of Alabama. Section 2 of this Act shall become effective October 1, 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 12, 19, 26, and Sept. 2, all in the year 1959.

B. C. SHELTON.

Sworn to and subscribed before me Sept. 2, 1959.

R. H. JERVIS,
Notary Public.

Also:

By Messrs. Morrow, Locke, Sessions, Edwards, Perry, Hawkins and Rast:

H. 712. To amend Section 797, Title 37, of the 1940 Code of the State of Alabama, as amended by Act No. 421 of the 1949 Regular Session of the Legislature of Alabama (General Acts, 1949, p. 597).

Also:

By Messrs. Shumate and Bevill:

H. 806. To make an annual appropriation from the general fund of Walker County to support the Peoples' Hospital of Walker County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To make an annual appropriation from the general fund of Walker County to support the Peoples' Hospital of Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of twenty thousand dollars ($20,000.00) is hereby appropriated annually from the general fund of Walker County, to support the Peoples' Hospital of Walker County, which shall be used exclusively for the care, maintenance, and support of indigent patients confined in the hospital, or for the purpose of matching any federal funds which may be made available for the equipping, alteration, expansion, enlargement, improvement, or operation of the hospital. All funds appropriated under the provisions of this act shall be disbursed or expended under the supervision and control of the hospital board or other governing body of the hospital.

Section 2. This act shall become effective October 15, 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret T. Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 27, Sept. 3, Sept. 10, and Sept. 17, all in the year 1959.

MARGARET T. PHILLIPS,

Sworn to and subscribed before me Sept. 21, 1959.

LOIS CARTER,
Notary Public.

Also:

By Messrs. Shumate and Bevill:

H. 807. To create a hospital board for Walker County, prescribe the jurisdiction, powers, and authority of the board with respect to the operation and maintenance of the Peoples' Hospital of Walker County. provide for the organization of the board, and for the appointment, qualification, terms, compensation, powers, and duties of members of the board, and repeal Act No. 374 approved July 6, 1943, Act No. 436 approved July 6, 1945, and all other conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To create a hospital board for Walker County, prescribe the jurisdiction, powers, and authority of the board with respect to the operation and maintenance of the Peoples' Hospital of Walker County, provide for the organization of the board, and for the appointment, qualification, terms, compensation, powers, and duties of the members of the board, and repeal Act No. 374 approved July 6, 1943, Act No. 436 approved July 6, 1945, and all other conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a hospital board for Walker County. Such hospital board shall be a public body corporate and shall have and exercise all the powers of public corporations organized for the purpose of owning and operating public hospitals pursuant to Act No. 46, S. 154, approved June 2, 1949 (Acts of Alabama, 1949, Page 68), as amended, and other like public corporations. Such hospital board is hereby specifically charged with the duty of operating and maintaining the People's Hospital, the nurses's home connected therewith, and any and all facilities and public health services thereto appurtenant or so related as to form an integral part thereof. All the power and authority necessary for the efficient operation and maintenance of said Peoples' Hospital is hereby conferred on and vested in the hospital board hereby created. The board shall be composed of seven members to be selected or appointed as follows:

(a) Three members shall be appointed by the Governor of Alabama, to hold office for terms of six years each, the first terms to commence on the date of this enactment.

(b) The remaining four members shall be appointed, one each by majority vote of the governing bodies of the incorporated cities and towns located within the four districts of the county for which members of the county governing body are elected, as now provided by law. These members shall also be appointed for terms of six years, but the first members from districts one and four shall be appointed for a two years, and the first members from districts two and three shall be appointed for a term of four years. In the selection of members as herein prescribed, each municipality shall be entitled to cast one vote. The first terms of members shall commence on the date of this enactment.

(c) Vacancies on the hospital board shall be filled by the appointing authority for the unexpired term.

No person who is a member of any other hospital board, public or private, within the State of Alabama shall be eligible for appointment under this act, or qualified to serve if appointed.

Section 2. A chairman and vice-chairman of the board shall be selected by the board from among the members of the board. The board must meet regularly once each month on a date to be fixed by the board, and special meetings may be held on call of the chairman. Members of the board shall serve without compensation.

Section 3. All the jurisdiction, powers, duties, and authority vested in, or conferred on the board of revenue, court of county commissioners, or other like governing body of Walker County, with respect to the operation, care, and maintenance of the Peoples' Hospital of Walker County, are hereby vested in, and conferred on, the hospital board created under the provisions of this act.

Section 4. Act No. 374, H. 783, approved July 6, 1943 (General Acts of Alabama, 1943, p. 343); Act No. 436, H. 644, approved July 6, 1945 (General Acts of Alabama, 1945, p. 186) and all other laws or parts of laws in conflict with this act are hereby repealed.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective October 15, 1959 upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret T. Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 27, Sept. 3, Sept. 10, and Sept. 17, all in the year 1959.

MARGARET T. PHILLIPS.

Sworn to and subscribed before me September 21, 1959.

LOIS CARTER,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 737, 739, 741, 743, 712, 806 and 807 — to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 480. To amend Section 1 of Act No. 652, H. 1030, approved October 9, 1947 (Local Acts of Alabama 1947, p. 409), entitled "An Act To provide for meetings and compensation of members of the County Board of Education of Coffee County."

Also:

H. 518. To abolish school district no. 6, Autauga County, and to annex the territory constituting such school district to school district no. 2 of said county.

Also:

H. 519. To provide for the election of members of the county board of education of Autauga County.

Also:

H. 523. To regulate further payment of compensation to deputy sheriffs by Chilton County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

Also:

H. 524. To permit any state bank having its principal place of business or a branch place of business or office in Chilton County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Also:

H. 525. To regulate the compensation of members of the county board of education in counties having a population of not less than 19,000 nor more than 19,300 inhabitants according to the 1950 federal decennial census.

Also:

H. 526. Relating to Cleburne County; authorizing the employment of a stenographic secretary by the circuit clerk and register in chancery of the county; and authorizing the payment of the salary of such secretary from the county treasury.

Also:

H. 538. To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Judge of said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama.

Also:

H. 541. To prohibit the use of nets for fishing in Limestone County, and making the possession of prohibited nets under the described conditions prima facie evidence of their illegal use; prescribing penalties.

Also:

H. 542. To regulate further the office of sheriff of Limestone County; requiring the sheriff of such county and his deputies when engaged in official duties to wear uniforms and when motor vehicles are used in connection therewith to use motor vehicles that are plainly marked or identified as vehicles used in the discharge of the official duties of the office of sheriff; authorizing and directing the county governing body to prescribe the style of the uniforms to be worn and the manner of marking or identifying the motor vehicles so used and to provide for the furnishing of such uniforms to such officers and the marking of such vehicles at county expense; prescribing penalties for failure to wear such uniforms or to use marked vehicles as herein required; and prescribing a defense for such failure in certain instances.

Also:

H. 543. To provide for the appointment of a part-time clerk by the sheriff of any county having a population of not less than 35,500 nor more than 38,500, according to the last or any subsequent federal decennial census, whose compensation shall be paid by the county.

Also:

H. 544. To fix and provide for payment of the compensation of clerks and assistants of certain officers of Limestone County.

Also:

H. 556. To provide for the payment of expenses incurred by members of the Court of County Commissioners, Board of Revenue, or like governing body of Perry County which are incurred in the performance of their duties.

Also:

H. 557. To provide for appointment of an additional deputy by the sheriff of Perry County, and for the payment of his compensation.

Also:

H. 558. Relating to and providing for the reidentification of voters in St. Clair County; directing the board of registrars to purge the lists of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

Also:

H. 559. To amend Act No. 173, H. 490, approved June 30, 1953, (Acts of Alabama 1953, page 217) which creates and establishes the Inferior Court of St. Clair County, so as to provide that fees of officers and State's Witnesses in criminal cases docketed in such court in which the State fails to convict, or the cause is otherwise abated, withdrawn or dismissed or an order of nolle prosequi is entered by the State, shall be paid from the Fine and Forfeiture Fund of St. Clair County and such fund reimbursed therefor by the State.

Also:

H. 567. To alter and re-arrange the boundaries of the town of Centreville, Bibb County, so as to annex certain territory to the town.

Also:

H. 573. To abolish the office of deputy solicitor for Clay County and to create in lieu thereof the office of county solicitor; to provide for the election, qualifications, and term of the county solicitor, prescribe his powers, authority, and duties, and fix his compensation; and to require the board of revenue, court of county commissioners, or other like governing body of Clay County to furnish the county solicitor with necessary office space, supplies, and equipment.

Also:

H. 574. To permit any bank having its principal place of business in Dale County to establish, maintain, and operate, within the corporate limits of any incorporated municipality in Dale County, one or more branches or additional offices or places of business, subject to the approval of the state superintendent of banks.

Also:

H. 575. To authorize the court of county commissioners, board of revenue or other like governing body of Dale County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Dale County public highway and traffic fund.

Also:

H. 576. To provide a salary for the coroner of Dale County, and to prescribe the manner of payment thereof.

Also:

H. 580. To amend Sections 1 and 3 of the act approved May 26, 1955, regulating the taking of fish from public streams and impounded waters in Elmore and Tallapoosa counties (Act No. 17, H. 93, Acts of Alabama 1955, Vol. I, pp. 229-231); prohibiting fishing with baskets and nets in the Coosa River or in the impounded waters thereof inside the boundaries of Elmore County, and making further provisions for the use of revenues derived from the sale of licenses in Elmore County.

Also:

H. 581. To alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Also:

H. 582. To vacate and annul the dedication to public use, prescribed in a deed to the City of Brewton from John R. Downing, as trustee for R. M. Jernigan, John R. Downing, and Thomas E. McMillan, then owners of Lincoln Park Subdivision, in the City of Brewton, to that certain parcel or tract of land hereinafter described by metes and bounds which is a part of that tract, lot or parcel of land designated as "Park" on the map of such subdivision on record in Map Book 3, at page 31 in the probate records of Escambia County, and more particularly described in the above mentioned deed, recorded in Deed Book 96 at page 562, probate records of Escambia County.

Also:

H. 588. To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden, Alabama; to provide for the composition of said board; to provide for a secretary-treasurer of said board; to provide for the compensation of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

Also:

H. 589. To amend Sections 3 and 4 of an act approved June 29, 1951, providing for the construction and maintenance of the roads and bridges in Greene County on a county-unit basis (Act No. 149, H. 441, Acts 1951, p. 383), in relation to the compensation of the chairman and members of the court of county commissioners.

Also:

H. 590. To fix the compensation of the deputy solicitor of Greene County.

Also:

H. 593. To alter, re-arrange and extend the boundaries of the Town of Kinsey in Houston County.

Also:

H. 597. To authorize the court of county commissioners or like governing body of Lee County to levy a privilege or license tax on persons, corporations, co-partnerships, companies, agencies, and associations selling, distributing, or delivering any malt or brewed beverages to retailers in Lee County; to authorize the court of county commissioners or like governing body of Lee County to collect the tax and to distribute among the incorporated municipalities within the county

their pro rata share of the proceeds; to authorize the court of county commissioners to make rules and regulations to govern enforcement and collection of the tax; and to provide for the use of the proceeds derived from the tax.

Also:

H. 598. Relating to Lee County; providing for the compensation of the deputies to the sheriff of Lee County, and repealing conflicting laws.

Also:

H. 599. To amend Section 4 of Act No. 220, H. 679, approved July 12, 1949 (Acts of Alabama 1949, p. 312), entitled "An Act Creating the office of county solicitor of Lee County; providing the method of filling the office; and fixing the compensation and defining the duties of such solicitor," by fixing the compensation of the county solicitor.

Also:

H. 600. Relating to and providing for the reidentification of electors in Lee County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

Also:

H. 601. To amend further Act No. 242, H. 678, approved July 15, 1949, (Acts of Alabama 1949, page 361), which created and established the Court of Common Pleas of Lee County.

Also:

H. 603. To amend further Section 4 of the act approved September 25, 1947 (Act No. 470, H. 899, Local Acts 1947, p. 329) relating to the office of chief clerk of the circuit solicitor of the Twenty-third Judicial Circuit.

Also:

H. 610. To amend Section 24 of Act No. 813, S. 662, approved September 11, 1951, (Acts of Alabama 1950-1951, pages 1426-1447), which relates to providing for and prescribing the form of government for all cities of Alabama having a population of not less than 75,000 nor more than 125,000 inhabitants according to the preliminary count of the 1950 federal census or any subsequent regular decennial federal census by more particularly defining the employees covered thereunder.

Also:

H. 612. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 670. To amend an act entitled "An act to provide for the election of a County Superintendent of Education for Pickens County, Alabama, by the qualified voters of said county, to fix his term of office, to prescribe his salary and the manner of payment, to define his

qualifications, powers, and duties and to provide for the election of his successor in office."

Also:

H. 530. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Also:

H. 579. To repeal the local act approved July 29, 1955, entitled "An Act relating to Elmore County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices, (Act No. 171, H. 413, Acts 1955, vol. I, pp. 436-437).

Also:

H. 614. To regulate the compensation of deputy sheriff, other than the chief deputy sheriff, of Pike County; amending Section 1 of Act No. 634, H. 1057, as amended, approved July 10, 1940, (Local Acts of Alabama 1939, p. 366) and Section 2 of Act No. 165, H. 574, approved June 28, 1949, (Acts of Alabama 1949, p. 193.)

Also:

H. 621. To provide for the feeding and care of certain county prisoners of Russell County employed or used on the construction, repair, and maintenance of county roads and bridges, or other such road work; to authorize a daily tobacco allowance for such prisoners; to provide hospital and medical care and treatment for any such prisoners who are injured or become ill while engaged in such road work; to prescribe the powers, duties, and authority of the sheriff and the governing body of Russell County in carrying out the provisions of this Act; and giving certain portions of the Act retroactive effect.

Also:

H. 632. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners, or other like governing body of all counties having a population of not less than 17,650 nor more than 18,000, according to the last or any subsequent federal decennial census.

Also:

H. 638. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Also:

H. 640. To withdraw jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed for precinct five, Choctaw County.

Also:

H. 641. To provide for the appointment of a special constable for each commissioner's district in Choctaw County, prescribing their powers and duties and providing for their compensation.

Also:

H. 577 To authorize all cities in the State of Alabama having a population exceeding 20,000 and not exceeding 23,000 inhabitants, according to the 1950 or any succeeding regular decennial Federal Census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees whose salaries are paid on a monthly basis, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, except that the provisions of this act shall not be applicable to any retirement system heretofore established by local act of the Alabama Legislature, on the basis of an interest rate not in excess of four per centum per annum, and mortality disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said

funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this act.

Also:

H. 646. Relating to St. Clair County; providing for the election of county commissioners from districts; prescribing the powers and duties of the court of county commissioners of St. Clair County, and the qualifications, term of office, compensation, and manner of election of the members thereof; and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

Also:

H. 647. To provide for and regulate the payment of a portion of the compensation of clerks in the offices of the tax assessor and tax collector of Autauga County.

Also:

H. 648. To amend Sections 1 and 5 of Act No. 455, H. 858, approved August 23, 1947 (Local Acts of Alabama, 1947, p. 303), entitled "An Act To establish a Court of Common Pleas for Autauga County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations; to provide that said Court shall be open at all times for the trial of Cases and transactions of business; to provide the rules and procedure of said Court; to provide a fine and forfeiture fund for said Court; and to abolish the Civil and Criminal Court of Autauga County, Alabama, and the County Court of Autauga County, Alabama."

Also:

H. 649 To fix the compensation of the coroner of Autauga County and provide for the payment thereof.

Also:

H. 650. Fixing the compensation of members of the board of education of Autauga County, and providing for the payment of expenses incurred by the members thereof in attending meetings and transacting business of the board.

Also:

H. 663. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 11, T16N, R18E, Montgomery County, Alabama.

Also:

H. 345 To amend Section 380, Title 51, Code of Alabama 1940, in relation to the recognition of gain or loss for state income tax purposes on property involuntarily converted as a result of condemnation; giving the amendment retroactive effect.

Also:

H. 639. Regulating further the insuring of the property of public hospitals in all counties in this State having a population of not less than 19,200 nor more than 20,200, according to the last or any subsequent federal decennial census.

Also:

H. 643. To abolish the office of County Solicitor of Walker County, Alabama, and to create in lieu thereof the office of the Solicitor of the County Court of Walker County, Alabama, to provide for the appointment and the election of such officer by the qualified voters of said Walker County, to prescribe his duties, powers and qualifications and to provide for his compensation and the way in which same is to be paid, to fix the term of his office, to provide for the election of his successor in office and to fix the time in which he shall take office and to relate that all general and local laws in conflict with the provisions of this Act are repealed in so far as they relate to said Walker County, Alabama.

Also:

H. 214. To propose an amendment to the Constitution providing for the levy and collection of an additional property tax for educational purposes in DeKalb County.

Also:

H. 613. Proposing an amendment to the Constitution of Alabama relating to Uniontown in Perry County, and ordering an election thereon.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorom of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

RECESS

At 5:04 P. M., on motion of Mr. Andrews, the Senate took a recess until 5:19 o'clock this afternoon.

Yeas 16; Nays 13.

Yeas:

Messrs.:	Clark	Godfrey	Kendall	
Andrews	Crawford	Golson	Moses	
Barnett	Eddins	Graham	Samford	
Berryman	Givhan	Green	Webb	
Caffey				—16

Nays:

Messrs.:	Dumas	Jones	Robison	
Archer	Farmer	Leonard	Turner	
Cooper	Haltom	Porter	Wyatt	
deGraffenried	Hines			—13

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell.

Present:

Messrs.:	Archer	Berryman	Clark
Andrews	Barnett	Caffey	Cooper

Crawford	Godfrey	Kendall	Samford
deGraffenried	Golson	Leonard	Shelton
Dumas	Graham	Moses	Turner
Eddins	Green	Porter	Webb
Farmer	Haltom	Roberts	Wilson
Gaither	Hines	Robison	Wyatt
Givhan	Jones		

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RESOLUTION

Mr. Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 26. WHEREAS, R. F. Hudson, Jr. was the publisher of a newspaper almost as old as the State of Alabama itself, a newspaper that was born just in time to support and hail the election of Andrew Jackson, a newspaper that had survived many other newspapers and all other businesses to become the oldest business in the Capital; and

WHEREAS, in a democratic commonwealth such as ours the newspapers are institutions without which neither our political processes nor commercial life could function, and capital city newspapers have traditionally played central roles in the drama of the state's government and politics; and

WHEREAS, R. F. Hudson, Jr. was the avatar of the spirit and tradition begat by a dynasty of powerful, high-minded editors and was a trustee whose aim was the renewal and perpetuation of this nationally known tradition, which is duly attested by the premier newspaper awards; and

WHEREAS, R. F. Hudson, Jr. was among the most versatile and universally equipped publishers in Southern journalism and at the same time never let the hundreds who produced The Montgomery Advertiser and the Alabama Journal forget that they could count on his kindly regard and solicitude; now therefore, be it

RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Legislature of Alabama has heard with deep sensibility and profound sorrow of the death of R. F. Hudson, Jr., and the two Houses, sharing in the general grief, and desiring to manifest their sensibility upon the occasion of the family's bereavement, request the Senator from Montgomery to transmit a copy of these resolutions to Mrs Hudson and to Mr. R. F. Hudson, Sr., and to assure them of the profound respect of the two Houses for the person and character of R. F. Hudson, Jr., and of their sincere condolence on his untimely passing.

And on motion of Mr. Robison, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Perry, Sessions, Camp, Boyd, Torbert, Thomas, Pierce, Roberts, Meade, Goodwyn, Hocklander, Trimmier, Hawkins, Oden, and Dodd:

H. 594. To amend Section 2 of the act entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51,

Code of Alabama 1940, as amended and supplemented," which becomes effective October 1, 1959.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 594 — to the Committee on Finance and Taxation.

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively and finds same correctly enrolled, to-wit:

S. 312. To create within any county in this state having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority, and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations.

HUGH MOSES
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively and finds same correctly enrolled, to-wit:

S. 235. To amend the caption and Section 2 of Act No. 308, S. 193, approved August 26, 1955 (Acts of Alabama, 1955, p. 707), entitled "An Act To provide for the issuance of distinctive motor vehicle license plates or tags to members of the National Guard and Air National Guard of Alabama upon the payment of an additional sum of $1.00 for use by such persons upon their personally-owned, private,

passenger vehicles in lieu of the standard license plate or tag now required; and for the use of such distinctive plates by the State Military Department," by providing further for the issuance of such distinctive motor vehicle license plates.

Also:

S. 314. To amend Section 1 of Act No. 325, S. 379, approved August 11, 1953, the act fixing the compensation to be paid to members of the governing body in all cities having a population of not less than 78,500 nor more than 125,000, according to the last or any subsequent federal decennial census (Acts of Alabama, Regular Session 1953, Vol. 1, p. 382).

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Message and ordered same returned to the Senate with a favorable report, to-wit:

Governor's Message pertaining to appointment of Mr. James Record, Huntsville, Alabama, and Mrs. Mildred E. Lambard, Birmingham, Alabama, as members of the Senate Board of Pensions and Security.

And on motion of Mr. Archer, the Senate confirmed the appointment of Mr. James Record and Mrs. Mildred E. Lambard as members of the State Board of Pensions and Security.

FURTHER CONSIDERATION OF S. B. 122

The Senate proceeded to further consideration of the Bill:

S. 122. To amend Section 123 of Title 7, Code of Alabama 1940, relating to actions for wrongful act, omission, or negligence causing death.

Mr. deGraffenried offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 122

In Section 1, add at the end thereof a new sentence, as follows:

Provided, that any recovery had under this Act shall not exceed 50 thousand dollars.

Which was adopted.

Yeas 15; Nays 12.

Yeas:

Messrs.:	deGraffenried	Haltom	Robison
Archer	Dumas	Hines	Turner
Berryman	Eddins	Leonard	Webb
Cooper	Farmer	Porter	Wyatt

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Nays:

Messrs.:	Crawford	Green	Roberts
Andrews	Givhan	Kendall	Samford
Caffey	Graham	Moses	Wilson
Clark			

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Mr. Andrews then moved that further consideration of the Bill, as thus amended, be indefinitely postponed.

Mr. Robison moved that the motion to indefinitely postpone be laid on the table. The motion to table was lost.

Yeas 14; Nays 15.

Yeas:

Messrs.:	Dumas	Hines	Robison
Archer	Eddins	Jones	Webb
Caffey	Farmer	Leonard	Wyatt
deGraffenried	Haltom	Porter	

—14

Nays:

Messrs.:	Cooper	Graham	Roberts
Andrews	Crawford	Green	Samford
Berryman	Givhan	Kendall	Shelton
Clark	Golson	Moses	Wilson

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PAIRED VOTE ANNOUNCED

Mr. Turner announced that he was paired with Mr. Word on this vote; that Mr. Word, if present, would vote "Nay", and he, Mr. Turner, would vote "Yea."

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively and finds same correctly enrolled, to-wit:

S. 67. To make an appropriation from the Oil and Gas Fund to the State Building Commission for the purpose of constructing and equipping a building to house and quarter the records, offices and facilities of the State Oil and Gas Board.

Also:

S. 238. To provide for the distribution of the 2% tax levied on the producer of crude petroleum oil or natural gas produced for sale,

transport, storage, profit, or for use from any well or wells in the State of Alabama pursuant to Section 26, of Act No. 1, approved May 22, 1945, as amended by Act No. 453, approved August 31, 1953; to provide for the transfer of $100,000.00 to the General Fund from such surplus funds in the State Treasury to the credit of the Oil and Gas Fund as of September 30, 1959; to repeal all laws or parts of laws, especially Section 32 of Act No. 1, approved May 22, 1945; and to provide an effective date for this Act.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively and finds same correctly enrolled, to-wit:

S. 128. Relating to supernumerary circuit solicitors; amending Section 1 of an act approved September 3, 1953 (Act No. 474, S. 219, Acts 1953, Vol. 1, p. 589) providing for the appointment of supernumerary circuit solicitors of the State of Alabama, to provide that any person holding office as a judge of a County Law and Equity Court on January 1, 1960 who has served continuously as a circuit solicitor for twenty years or more may become a supernumerary circuit solicitor.

Also:

S. 305. To alter, extend, and rearrange the boundary lines and corporate limits of the city of Fayette in Fayette County, Alabama.

Also:

S. 311. To amend further Section 1 of Act No. 311, S. 411, approved July 31, 1951, an act regulating the office of sheriff in counties of more than 90,000 population and less than 140,000 population, according to the last or any subsequent federal decennial census (Acts 1951 Regular Session, Vol. 1, p. 606), in relation to the employment of deputies, clerks, wardens, jailers, and other assistants by the sheriffs of such counties.

Also:

S. 329. To amend further Section 11 of Act No. 311, H. 904, approved September 19, 1923 (Local Acts of Alabama 1923, p. 188), entitled "An Act To establish a Board of Revenue for Marengo

County, and for the abolishment of the Court of County Commissioners of said County."

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twenty-third Legislative Day was approved by the Senate.

ADJOURNMENT

At 6:25 P. M., on motion of Mr. Andrews, pending further consideration of S. B. 122, the Senate adjourned until Friday, October 2, 1959, at 10 o'clock A. M.

TWENTY-FOURTH LEGISLATIVE DAY

FRIDAY, OCTOBER 2, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend M. J. Rafferty, Pastor, St. Andrew's Catholic Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Berryman	deGraffenried	Gaither
Andrews	Caffey	Dumas	Givhan
Archer	Cooper	Eddins	Golson
Barnett	Crawford	Farmer	Graham

Green	Leonard	Robison	Turner
Haltom	Moses	Rutledge	Webb
Hines	Porter	Samford	Wilson
Jones	Roberts	Shelton	Wyatt
Kendall			—32

JOURNAL

On motion of Mr. Samford, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Roberts.

S. 388. To permit any water works board organized under the provisions of Sections 394 to 402, inclusive, of Title 37 of the Code of Alabama of 1940 which has acquired or may hereafter acquire a gas plant and system pursuant to Act No. 154 adopted at the 1947 Regular Session of the Legislature of Alabama, to issue revenue bonds for certain water works purposes and to pledge for payment of such revenue bonds not only water revenues, but also any available gas revenues and to provide that in order so to issue revenue bonds it shall not be necessary for such water works board to combine such water and gas systems.

Committee on Judiciary.

By Mr. Andrews.

S. 389. To regulate the duties and compensation of certain deputy sheriffs for Bullock County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To regulate the duties and compensation of certain deputy sheriffs for Bullock County.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be the special duty of each deputy sheriff in Bullock County whose compensation is payable by the county to enforce state traffic and motor vehicle laws, and while not so engaged to perform such other duties for the sheriff as the sheriff may direct, but his essential duties shall be to enforce said state traffic and motor vehicle laws as herein provided. The compensation of such deputies payable by the county shall be paid out of the county public highway and traffic fund or the general fund of the county, in whole or in part, as the county governing body shall direct.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wm. H. Garner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 10, Sept. 17, Sept. 24, and Oct. 1, all in the year 1959.

W. H. GARNER

Sworn to and subscribed before me 10/2, 1959.

RUBYE M. GARNER
Notary Public.

By Mr. Robison.

S. 390. To authorize and empower the Highway Director, acting in the name of the state, and any county or municipality thereof, to acquire by eminent domain proceedings, or otherwise, an entire lot, block or tract of land, or interest in land, where a part thereof is, or will be, necessary for public highway purposes, and to acquire lands and interest in lands for future use.

Committee on Judiciary.

By Mr. Robison.

S. 391. To amend Sections 3, 4, 9, 12, 14, 16, 17, 20, 24, 25, 26 and 27, and Sections 1, 11, 18 and 30, as heretofore amended, and to repeal Section 22, of Title 19, of the Code of Alabama of 1940, all of said Sections being in Chapter 1 of said Title 19, and to insert a new section numbered 22 in said Title 19, which provides for the intervention of interested parties in eminent domain proceedings; all of said sections and amendments relate to the condemnation of land for public purposes, and the procedure to be followed in such proceedings.

Committee on Judiciary.

By. Mr. Robison.

S. 392. To amend Section 5 of Act No. 104 of the First Special Session of the Legislature of Alabama of 1956, approved February 9, 1956 (General Acts, Special Session, 1956, Pages 148-151), entitled "An Act to authorize and provide for the planning, designation, establishment, use, regulation, alteration, improvement, maintenance and vacation of controlled access facilities; defining such terms; providing for the acquisition of lands required therefor; the restriction of intersections and control of approaches; the establishment of local service roads; the prohibition of certain acts thereon and provision for penalties therefor; and for other purposes."

Committee on Judiciary.

By. Mr. Robison.

S. 393. To amend Sections 40 and 44, and to repeal Section 41, of Title 23, of the Code of Alabama of 1940.

Committee on Judiciary.

By Mr. Robison:
S. 394. To amend Section 2 of Title 1 of the Code of Alabama of 1940.

Committee on Judiciary.

By Mr. Robison:
S. 395. To provide for the condemnation of all or any part of a cemetery or burial ground which may be necessary in the construction or improvement of a public road or highway, and to provide for the removal and reinterment of all graves located within the area to be acquired.

Committee on Judiciary.

By Mr. Robison.
S. 396. To amend Section 367 of Title 7 of the Code of Alabama of 1940.

Committee on Judiciary.

By Mr. Leonard.
S. 397. To provide a civil service system governing the appointment, removal, promotion, demotion, tenure and official conduct of the employees of the City of Sylacauga, including the City Clerk, the city engineer, the superintendent of the street department, the superintendent of the sanitation department, the chief of the police department, the superintendent of the city shop, the chief of the fire department, and excluding the secretary of the Mayor and any confidential assistant authorized to the Mayor, excluding all common laborers of the city or any of its departments and excluding the employees of any board or public corporation created by the City of Sylacauga under authority of law; providing for the examination, appointment and promotion of members of the departments on a competitive merit basis; providing for the establishment of a Personnel Board composed of five members; providing for the selection of members of the Personnel Board; prescribing their qualifications; prescribing the powers and duties of the Board and authorizing it to make rules and regulations for the administration of the Act; providing for hearings before the Board in cases of demotions and dismissals; providing for appeals from the Board to the Circuit Court; providing for the expenses of the Board; prohibiting political activities by covered employees of the City of Sylacauga and prohibiting rewards to covered employees thereof for political support; prescribing penalties for the violation of this Act; providing for the transfer of books, papers and records of the Civil Service Board created by Act No. 428, H. 936, approved August 17, 1951, (Acts 1951, page 763) to the Personnel Board; repealing all laws in conflict with this Act, including, but not limited to, Act. No. 428, H. 936, approved August 17, 1951, (Acts 1951, page 763); and providing for the effective date of this Act.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLEDEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide a civil service system governing the appointment, removal, promotion, demotion, tenure and official conduct of the employees of the City of Sylacauga, including the City Clerk, the city engineer, the superintendent of the street department, the superintendent of the sanitation department, the chief of the police department, the superintendent of the city shop, the chief of the fire department, and excluding the secretary of the Mayor and any confidential assistant authorized to the Mayor, excluding all common laborers of the city or any of its departments and excluding the employees of any board or public corporation created by the City of Sylacauga under authority of law; providing for the examination, appointment and promotion of members of the departments on a competitive merit basis; providing for the establishment of a Personnel Board composed of five members; providing for the selection of members of the Personnel Board; prescribing their qualifications; prescribing the powers and duties of the Board and authorizing it to make rules and regulations for the administration of the Act, providing for hearings before the Board in cases of demotions and dismissals; providing for appeals from the Board to the Circuit Court; providing for expenses of the Board; prohibiting political activities by covered employees of the City of Sylacauga and prohibiting rewards to covered employees thereof for political support; prescribing penalties for the violation of this Act; providing for the transfer of books, papers and records of the Civil Service Board created by Act. No. 428, H. 936, approved August 17, 1951, (Acts 1951, page 763) to the Personnel Board; repealing all laws in conflict with this Act; including, but not limited to Act No. 428, H. 936, approved August 17, 1951, (Acts 1951, page 763); and providing for the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. In this act words used in the masculine gender include the feminine and neuter genders and words used in the neuter gender include the masculine and feminine genders. The following words, terms and phrases, whenever used in this act, shall have the meanings respectively ascribed to them in this section unless the context plainly indicates a contrary meaning: "Civil Service Board", the Civil Service Board created by Act No. 428, H. 936, approved August 17, 1951 (Acts 1951, page 763). "Board" or "the Board," the Personnel Board created hereby. "Employee" or "appointee", persons in the classified service herein set up and appointed by an appointing authority, unless herein specifically excepted.

Section 2. The employees of the City of Sylacauga, including the chief of the police department, the chief of the fire department, the city clerk, deputy city clerk, the superintendent of the city shop, the superintendent of the street department, the superintendent of the sanitation department, the city engineer and his assistants, excluding the employees of any board or public corporation which may have been created by the City of Sylacauga under authority of the laws of the State of Alabama, excluding all common laborers employed by the City of Sylacauga or any of its departments and excluding the secretary of the Mayor or any confidential assistant to the Mayor which is now authorized or which may be hereafter authorized by the City Council of the City of Sylacauga, shall be under and governed by civil service regulations under the direction and supervision of a board as hereinafter provided, and all persons who may hereafter

be elected or appointed as officers or members of such departments or may hereafter be employed by any department thereof shall thereafter remain and continue in their respective employments as such municipal officers and employees of said city during good behavior, efficiency and obedience to such reasonable rules and regulations as may from time to time be prescribed by the Personnel Board which is herein provided for, and as is hereafter provided. Nothing herein contained shall be construed to prevent or preclude removal of any officer, member or employee of any of the departments by the Personnel Board for cause, in the manner hereinafter prescribed.

Section 3. The Personnel Board shall consist of five members to be selected as herein provided. Three members of said Board shall constitute a quorum. No person shall be eligible to be a member of said Personnel Board who shall not, at the time of his appointment, be over twenty-five years of age and an actual resident in and qualified voter of said city. No person shall be eligible to be a member of said Board who holds any office of profit under the State, City or County. The members of the Board shall be designated respectfully as member number one, member number two, member number three, member number four and member number five. The Board shall meet once each calendar quarter on dates to be fixed by its rules and regulations and as much oftener as shall be necessary for the orderly dispatch of its business. The member of the Civil Service Board whose term of office would expire the first Monday in April, 1960, shall be designated as member number one on the Board and shall serve until the first Monday in April, 1960, and until his successor shall be selected and shall qualify; in the event of a vacancy in the office of member number one the Mayor shall appoint a qualified person to serve the balance of the unexpired term. The mayor of the City shall appoint the successor to member number one who shall hold office for a term of three years and until his successor shall be selected and shall qualify. The member of the Civil Service Board whose term of office would expire the first Monday in April, 1961, shall be designated as member number two on the Board and shall serve until the first Monday in April, 1961, and until his successor shall be selected and shall qualify; in the event of a vacancy in the office of member number two the City Council shall select a qualified person to serve the balance of the unexpired term. The City Council shall select the successor to member number two who shall hold office for a term of three years and until his successor shall be selected and shall qualify. The member of the Civil Service Board whose term would expire the first Monday in April, 1962, shall be designated as member number three on the Board and shall serve until the first Monday in April, 1962, and until his successor shall be selected and shall qualify; in the event of a vacancy in the office of member number three the City Clerk, the chief of the police department, the chief of the fire department, the city engineer, the superintendent of the city shop, the superintendent of the street department, and the superintendent of the sanitation department serving as an election committee shall select a qualified person to serve the balance of the unexpired term; such election committee shall select the successor to member number three who shall hold office for a term of three years and until his successor shall be selected and shall qualify. The Board of Directors of the Sylacauga Chamber of Commerce shall select from its membership a qualified person to serve as a member of the Board who shall be designated as member number four and who shall serve until the first Monday in April, 1961, and until his successor shall be selected and shall qualify; in the event of a vacancy in the office of member number four the Board of Directors of the Sylacauga Chamber of Commerce

shall select a qualified person from its membership to serve the balance of the unexpired term. The Board of Directors of the Sylacauga Chamber of Commerce shall select from its membership a qualified person as the successor to member number four who shall hold office for a term of three years regardless of his continuing membership as a member of the Board of Directors of the Sylacauga Chamber of Commerce and until his successor shall be selected and shall qualify. The Sylacauga Ministerial Association shall select from its membership a qualified person to serve as a member of the Board who shall be designated as member number five and who shall serve until the first Monday in April, 1962, and until his successor shall be selected and shall qualify; in the event of a vacancy in the office of member number five the Sylacauga Ministerial Association shall select a qualified person from its membership to serve the balance of the unexpired term. The Sylacauga Ministerial Association shall select from its membership a qualified person as the successor to member number five who shall hold office for a term of three years and until his successor shall be selected and shall qualify. Subsequent vacancies on the Board and selections for membership on the Board shall be made by the persons or groups of persons herein authorized to fill original vacancies or make original selections, the term for each member of the Board to be for a term of three years from and including the first Tuesday after the first Monday in April of said year and until his successor shall be selected and shall qualify for office. Any member of said Board whose term shall expire shall be eligible for reappointment.

Section 4. Every person who shall be selected as a member of said Personnel Board according to the provisions of this Act shall within fifteen days thereafter, qualify by making oath that he is eligible for said office and will execute the duties of the same according to his best knowledge and ability. Such oath shall be administered by any person authorized to administer oaths, and a copy thereof filed with the City Clerk.

Section 5. The Personnel Board shall make rules and regulations to carry out the purpose of this act, and for examinations, appointments, and removals in accordance with its provisions and the board may, from time to time, make changes in the existing rules. The City Clerk, superintendent of the street department, superintendent of the sanitation department, the superintendent of the city shop, city engineer, chief of the police department and chief of the fire department, shall, from the membership of their respective departments, recommend for promotion such person or persons as the occasion may call for to fill any vacancy or vacancies that may occur in said respective departments, and all such vacancies shall be filled and all such promotions shall be made by the Personnel Board. The board may make rules and regulations relating to eligibility for promotion. The City Clerk, city engineer, superintendent of the street department, superintendent of the city shop, superintendent of the sanitation department, chief of the police department and chief of the fire department shall have authority in their respective departments to demote any member of the respective departments by and with the consent and approval of the Personnel Board, provided however, that upon written demand filed with the Personnel Board within five days from the date of the order of demotion the person whom it is proposed to demote shall be given a public hearing by the Personnel Board before any order of demotion shall be final. The city clerk, city engineer, superintendent of the street department, superintendent of the city shop, superintendent of the sanitation department, chief of the police

department and chief of the fire department shall have authority to suspend any member of their respective department, pending the hearing by the Personnel Board. In the event any vacancy shall occur in the office of city clerk, of city engineer, of superintendent of the city shop, of superintendent of the street department, of superintendent of the sanitation department, of the chief of the police department, or of the chief of the fire department, such vancancy shall be filled by appointment by the Mayor with the approval of the City Council and such appointment shall be made from among the three persons eligible for such office as certified to the Mayor by the Personnel Board. In the event there is a reduction in the number of employees employed by any department of the city, the man last employed shall be the first to be dropped, and so on in succession; provided that the number of employees in any classification or in any department shall not thereby be reduced below the number which may from time to time be determined by the governing body of such city for such classifications or for such department.

Section 6. All applications for a place or position with any department of the city shall file their application in writing with the Personnel Board, said applications to be on the blank forms furnished by the board, and all applicants must be subject to examination, which shall be public, competitive, and open to all citizens of the United States, with specified limitations as to age, residence, health, habits and moral character. Such examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the persons examined to intelligently discharge the duties of the position to which they aspire.

Section 7. The board shall control all examinations, and whenever an examination is to take place, shall conduct such examination. Every applicant for examination shall pay to the City Clerk the sum of one dollar and fifty cents, and the receipt therefor shall be attached to his application.

Section 8. The city clerk, city engineer, superintendent of the street department, superintendent of the city shop, superintendent of the sanitation department, chief of the police department, and chief of the fire department shall notify the Personnel Board of vacancies in their departments, respectively and the board shall furnish the city clerk, city engineer, the respective superintendents and chief with the name and address, or the names and addresses, of the candidate or candidates, not exceeding three in number, standing highest on the eligible list, and from the names so submitted the city clerk, city engineer, the respective superintendents and chiefs shall make appointment or appointments to fill such vacancies. All appointees shall be on probation for a period of six months from date of appointment. Before the expiration of the period of probation, the Mayor as to the city clerk, city engineer, superintendent of the street department, superintendent of the city shop, superintendent of the sanitation department, chief of the police department and chief of the fire department, and the appointing authority as to any other appointee, may, without cause, discharge any probationer in his respective department. If a probationer be not discharged before the expiration of his probation, his appointment shall be deemed complete.

Section 9. The Personnel Board may, in an emergency, or in cases where it deems proper, authorize the city clerk, city engineer, superintendent of the street department, superintndent of the city shop, superintendent of the sanitation department, chief of the police department or chief of the fire department to appoint for temporary service such number of employees as in the opinion of the

governing body of said city the existing conditions demand. All such officers appointed for the police force shall be furnished with badges to be different in size and design from the regulation badges used by the regular members of the police force and must have the words "special officer" across the face of them in large letters. The chief of police shall furnish the board with the names and addresses of all persons to whom he has issued special badges, and at the expiration of their appointment shall cause all such badges to be taken up. It shall be unlawful for any persons to have in his possession any commission or any badge of a police officer of said City of Sylacauga unless same has been issued to him in accordance with the provisions of this section.

Section 10. It shall be a violation of the provisions of this Act for any official, officer or other person to issue, give or lend one of the regulation police badges to any person other than a regularly employed police officer of the city.

Section 11. No employee of any department of the city shall be removed or discharged, nor shall the city clerk, city engineer, superintendent of the street department, superintendent of the city shop, superintendent of the sanitation department, chief of the police department, nor the chief of the fire department, be removed, discharged, or demoted, except for cause, upon written charges or complaint and after an opportunity to face his accusers and be heard in his own defense. Such charges shall be investigated by and before the Personnel Board after not less than five days' notice in writing with a copy of such charges shall have been given to the person charged and the hearings thereof and thereon shall be public. The decision of the board thereon shall be given in writing to the accused, and shall be spread on the minutes. In all procedures before the Personnel Board the city attorney may appear and represent the interest of the city when ordered to do so by the Personnel Board. Any attorney secured by the person or persons making the charge or accusation shall be allowed to represent the prosecution and any attorney selected by the accused shall be allowed-ed to represent the accused. Any person may be served with a subpoena to appear and testify, or to produce books and paper relevant to such investigation before the Personnel Board, such subpoena to be issued as subpoenas are now issued and provided for in the circuit courts of this state; and anyone who shall refuse or neglect to appear and testify, or produce such books and papers relevant to such investigation as commanded in such subpoena, shall be guilty of a misdemeanor, and punished as misdemeanors are punished under the laws of the State of Alabama. The fees of witnesses for attendance and travel shall be the same as fees for witnesses before the circuit courts of this state, and shall be paid from the treasury of the city. The decision of the board shall be accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise statement of the board's conclusions upon each issue of fact contested.

The party making the complaint or the person against whom the complaint is made may appeal the board's decision to the Circuit Court of Talladega County, Alabama, by filing a petition with the Register of such court within ten days after receipt of notice of the decision, such petition must be accompanied by security for costs of court, such security to be approved by the Register of the Court. A copy of the petition shall be served on the Chairman of the Board, in person or by registered or certified mail. The board shall transmit, or cause to be transmitted, the record in the case to the

court within ten days after the service of the petition. The order of the board shall remain in full force and effect pending such appeal unless the court shall order otherwise. The review by the court shall be confined to the record. The court may affirm the decision or remand the case for further proceedings; or it may reverse or modify the decision if it was affected by any error of law or was unsupported by substantial evidence as reflected by the findings of fact, or was arbitrary or capricious. Such appeals shall be given a preference over other cases pending before the court.

Section 12. The Personnel Board shall elect one of its members as Chairman and one of its members as Vice Chairman, the Chairman and Vice Chairman shall hold office as such at the pleasure of the board. The Personnel Board shall hold regular meetings at least once each calendar quarter at times to be determined by the board for the transaction of business, and may hold special, adjourned or called meetings at any time. Special or called meetings shall be called by the Chairman or, in his absence, by the Vice Chairman. All meetings of the board shall be held in the city hall unless otherwise provided by the board. All meetings of the board shall be public meetings.

Section 13. The Personnel Board shall keep minutes of their meetings and records of all business transacted by them at each and every meeting. All minutes and records of the board except examination papers and grades thereon shall be open for inspection at all times by any citizen of the city. The examination papers and grades thereon shall be subject to inspection at any time by the respective appointing authority.

Section 14. The members of the Personnel Board shall receive no compensation for their respective services. The City Council or other governing body or such city shall provide for the expenses of the Personnel Board and shall provide in the annual budget an appropriation to cover the expenses of such board, provided, however, the board may not incur any expenses and may not obligate the city to pay any sum or sums not theretofore previously authorized by the City Council or other governing body of such city.

Section 15. No emplyoee of the city shall solicit orally, or by letter or otherwise, or receive, or be in any manner concerned in soliciting or receiving any assessment or subscription or contribution for any candidate, political party or political purpose whatsoever.

Section 16. No employee of the city, or other persons, shall in any wise undertake or threaten to degrade, discharge, or promote, or in any manner change the official rank or pay of any other employee of the city, or promise or threaten to do so, for giving or withholding, or neglecting to make any contribution of money or any valuable thing for any party or for any political purpose whatsoever. No employee of the city shall receive any promotion as a reward for his support of any candidate or political party. No employee of any department shall be reduced in rank or pay as punishment for his failure to support any candidate for political office.

Section 17. No recommendation by any officer or official whether said officer or official be a city, county, state or national officer or official, shall be considered by any person concerned in any examination or appointment under this Act, except as to the general moral character of the applicant.

Section 18. Any person in the service of the city by appointment under civil service rules who shall willfully, or through culpable

negligence, violate any of the provisions of this act, and who shall be found guilty after a trial before the Personnel Board, shall be dismissed from the service of the city, and shall not be subject to reappointment for two years. Any officer of employee of the city other than those holding office under the civil service rules, who shall willfully or through culpable negligence, violate any of the provisions of this act, shall be guilty of a misdemeanor, and on conviction shall be fined in a sum not less than fifty dollars, nor more than five hundred dollars, unless same be otherwise provided herein, and the office so held by such person, by force of such conviction, shall be rendered vacant, and such person shall not again be allowed to hold any office or place of employment under the city thereafter for two years. Any other person who shall willfully, or through culpable negligence, violate any of the provisions of this act shall be guilty of a misdemeanor, and shall on conviction be punished by a fine in the sum of not less than fifty dollars and not exceeding five hundred dollars.

Section 19. Every employee of said city who is such an employee on the day upon which this act goes into effect shall retain his position without examination, and be subject to all the conditions and benefits of this civil service law.

Section 20. No person shall be eligible to take a civil service examination or to appointment as an employee of the city, who is not a citizen of the United States, or who has ever been convicted of a felony, or who does not possess of good moral character.

Section 21. The Personnel Board shall draw and have printed such rules and regulations for the government of the said departments, in accordance with the provisions of this act, as may seem necessary. The board shall have the power and authority to fix the maximum and minimum age limits of applicant for examinations, and may specify the weight, height, etc., required of all applicants.

Section 22. The violation of any of the provisions of this act by any person or persons is hereby declared to be a commission by such person or persons of a misdemeanor; and unless otherwise provided herein, any person who commits such misdemeanor must, on conviction, be fined not more than five hundred dollars, and may also be imprisoned in the county jail or sentenced to hard labor for the county wherein such misdemeanor is committed for not more than six months, at the discretion of the court.

Section 23. Each section of this act and each part of each section are hereby declared to be independent sections and parts of sections, and if any section, sentence, clause or provision of this act shall be held or declared to be unconstitutional or void, it shall not affect or destroy the validity or constitutionality of any other section, sentence, clause or provision of this act which is not of itself void or unconstitutional.

Section 24. All records, papers, forms, documents, supplies, books, minutes and property of other kind or character under the control of the Civil Service Board which was created by Act. No. 428, H. 936, approved August 17, 1951 (Acts of 1951, page 763) on the effective date of this act shall be transferred to the Personnel Board herein and hereby created.

Section 25. All laws or parts of laws, including, but not limited to, Act No. 428, H. 936, approved August 17, 1951 (Acts of 1951, page 763), in conflict with the provisions of this act are hereby repealed.

Section 26. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law under Section 125 of the Constitution.

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law deposes and says that he is the Publisher of the Sylacauga Advance a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: Sept. 10, 1959, Sept. 17, 1959, Sept. 24, 1959, Oct. 1, 1959.

W. A. MOODY

Subscribed and sworn to before me this 1day of Oct. 1959.

H. C. KRAMER, JR.
Notary Public.

By Mr. Leonard.

S. 398. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide an annual allowance to the sheriff of Talladega County for the purchase of equipment and for the purchase of uniforms for the personnel of the sheriff's department.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide an annual allowance to the sheriff of Talladega County for the purchase of equipment and for the purchase of uniforms for the personnel of the sheriff's department.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Talladega County is hereby authorized and empowered to appropriate during each fiscal year, out of any funds in the county treasury not otherwise appropriated, a sum not exceeding one thousand five hundred dollars ($1,500), to be used by the sheriff of Talladega County for the purchase of equipment necessary for the proper performance of his duties and for the purchase of uniforms for the deputies, jailers, and other employees of the sheriff's department.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Ila G. Davis, who being duly sworn according to law, deposes and says that she is the bookkeeper of the Talladega Pub. Co. Inc. a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: July 30, 1959, Aug. 6, 1959, Aug. 13, 1959, Aug. 20, 1959.

ILA G. DAVIS

Subscribed and sworn to before me this 21 day of August 1959.

LILLIE B. LEDBETTER
Notary.

By Mr. Samford.
S. 399. To extend, alter and rearrange the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said City all of the following described territory:

Beginning at the northeast corner of Section 16, Township 19 North, Range 26 East, of the St. Stephens Meridian in Lee County, Alabama, run southerly along the east boundary line of said Section 16 for a distance of one mile to the northeast corner of Section 21, Township 19 North, Range 26 East, Lee County, Alabama; run thence southerly, along the east boundary of said section 21 for a distance of one mile to the northwest corner of Section 27, Township 19 North, Range 26 East, Lee County, Alabama; run thence easterly,

along the north boundary of said Section 27 for a distance of one mile to the northeast corner of said Section 27; run thence southerly, along the east boundary of said Section 27 for a distance of one mile to the northeast corner of Section 34, Township 19 North, Range 26 East, Lee County, Alabama; run thence southerly, along the east boundary of said Section 34 for one mile to the northeast corner of Section 3, Township 18 North, Range 26 East, Lee County, Alabama; run thence southerly, along the east boundary of said Section 3, for a distance of one-half (½) mile to the southeast corner of the northeast quarter of said Section 3; run thence westerly, along the east-west half section line running through said Section 3 for a distance of one mile to the southwest corner of the northwest quarter of said Section 3; run thence westerly, along the east-west half section line running through Section 4, Township 18 North, Range 26 East, Lee County, Alabama for a distance of one mile to the southwest corner of the northwest quarter of said Section 4; run thence westerly, along the east-west half section line running through Section 5, Township 18 North, Range 26 East, Lee County, Alabama, for a distance of one mile to the southwest corner of the northwest quarter of said Section 5; run thence westerly along the east-west half section line of Section 6, Township 18 North, Range 26 East, Lee County, Alabama, for a distance of one mile to the southwest corner of the northwest quarter of said Section 6; run thence westerly, along the east-west half section line running through Section 1, Township 18 North, Range 25 East, Lee County, Alabama, for a distance of one mile to the southwest corner of the northwest quarter of said Section 1; run thence westerly, along the east-west half section line running through Section 2, Township 18 North, Range 25 East, Lee County, Alabama, for a distance of one-half mile to the southwest corner of the northeast quarter of said Section 2; run thence northerly, along the north-south half section line running through said Section 2 for a distance of one-half mile to the northwest corner of the northeast quarter of said Section 2; run thence northerly, along the north-south half-section line running through Section 35, Township 19 North, Range 25 East, Lee County, Alabama, for a distance of one mile to the southwest corner of the southeast quarter of Section 26, Township 19 North, Range 25 East, Lee County, Alabama; run thence northerly, along the north-south half-section line running through said Section 26 for a distance of one mile to the southwest corner of the southeast quarter of Section 23, Township 19 North, Range 25 East, Lee County, Alabama; run thence northerly, along the north-south half-section line running through said Section 23 for a distance of one mile to the southwest corner of the southeast quarter of Section 14, Township 19 North, Range 25 East, Lee County, Alabama; run thence northerly along the north-south half-section line running through said section 14 for a distance of one mile to the northwest corner of the northeast quarter of said Section 14; run thence easterly, along the north edge of said Section 14 for a distance of one-half mile to the northwest corner of Section 13, Township 19 North, Range 25 East, Lee County, Alabama; run thence easterly along the north edge of said Section 13 for one mile to the northwest corner of Section 18, Township 19 North, Range 26 East, Lee County, Alabama; run thence easterly, along the north edge of said Section 18 for a distance of one mile to the northwest corner of Section 17, Township 19 North, Range 26 East, Lee County, Alabama; run thence easterly, along the north edge of said Section 17 for a distance of one mile to the northwest corner of Section 16, Township 19 North, Range 26 East, Lee County, Alabama; run thence easterly along the north edge of said Section 16 for a distance of one mile to the northeast corner of said Section 16 and the point of beginning, all said lands being situated in Lee County, State of Alabama.

The above described boundary line being the corporate limits of the City of Auburn, Alabama, and including all lands lying within the above described boundary line.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective on the 30th day of September, 1959, after its passage and approval by the Governor, or if this Act is passed and approved by the Governor subsequent to the 30th day of September, 1959, then the same shall become effective immediately upon its passage and approval by the Governor.

AFFIDAVIT OF PUBLICATION

I, Neil O. Davis, Publisher, of Lee County Bulletin, published weekly at Auburn, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 30, 1959, and ending with the issue dated August 20, 1959.

NEIL O. DAVIS.

Subscribed and sworn before me this 20th day of August, 1959.

ALMA N. SHAFFER,
Notary Public.

By Mr. Wyatt:

S. 400. To amend Section 103 of Title 11, Code of Alabama (1940), which relates to the fees and compensation of witnesses in criminal cases.

Committee on Finance and Taxation.

By Mr. Wyatt:

S. 401. To amend Section 44 of Title 11, Code of Alabama (1940), which relates to the fees allowed witnesses for mileage and attendance in civil cases.

Committee on Finance and Taxation.

By Mr. Shelton:

S. 402. Relating to schools; to provide for a Committee on Courses of Study; to prescribe the qualification and compensation of its members; to define its duties; and to repeal Sections 404, 405, 406, 407 of Title 52, Code of Alabama 1940 as amended.

Committee on Education.

By Messrs. Rutledge, Turner and Moses:

S. 403. To authorize the Attorney General to employ not more than two investigators and to make an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 404. To amend Section 1 of Act No. 486, H. 765, approved July 9, 1943, an act providing for the appointment of a board of trustees to acquire, maintain, and protect certain properties and objects of historical interest located at the first permanent seat of government of the State of Alabama at Cahaba in Dallas County, (General Acts 1943,

p. 449), so as to provide for the appointment of two additional members of the board of trustees of the Cahaba Historical Commission.

Committee on Finance and Taxation.

By Messrs. Turner, Barnett, Rutledge, Moses, Graham, Kendall and Crawford:

S. 405. To fix the annual salary of the state superintendent of education; amending Section 41 of Title 52, Code of Alabama 1940, and superseding and repealing conflicting laws.

Committee on Finance and Taxation.

By Messrs. Turner, Barnett, Rutledge, Moses, Graham, Kendall and Crawford:

S. 406. To fix the compensation of the commissioner of agriculture and industries; amending Section 17 of Title 2, Code of Alabama 1940, and repealing conflicting laws.

Committee on Finance and Taxation.

By Messrs. Caffey and Samford:

S. 407. To amend Section 191 of Title 13, Code of Alabama 1940, which relates to the compensation of special circuit judges.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 408. To provide for the regulation and issuance of motor vehicle license tags for motor vehicles purchased without this state; to prevent motor vehicles purchased without this state escaping payment of use tax as levied under the provisions of Title 51, Section 787-811, as amended, Code of Alabama 1940; and to provide that this act shall be designated as Section 704 (1), Title 51, Code of Alabama 1940.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Albea (with substitute):

H. 184. To provide for an allowance of reasonable counsel fees to the wife in divorce proceedings as an aid in the maintenance of the action and in the enforcement of the orders of the court.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Glass and Taylor:

H. 288. To amend Section 11 of Title 27, Code of Alabama 1940, to provide that the judge of probate shall make a report to the bureau of vital statistics, state health department, of the result of proceedings to legitimate bastard children.

By Messrs. Edwards and Solomon:

H. 336. To amend further Section 42 of Title 22, Code of Alabama 1940, in relation to the certification and search of vital records.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills an dordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill et al (with amendment):
H. 344. Relating to divorce and alimony; providing that remarriage of the wife bars the right to alimony or allowances for support and maintenance out of the estate of the divorced husband.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Archer:
S. 246. Relating to rules of the road; prescribing further regulations concerning right of way at street or highway intersections.

By Mr. Dumas:
S. 334. To further amend Title 26, Section 293, Alabama Code of 1940, as heretofore amended, relating to medical, surgical and hospital service under the workmen's compensation law.

By Messrs. Farmer and Turner:
S. 340. To authorize non-residents who are arrested for certain misdemeanors relative to the operation of motor vehicles on the public roads and highways to secure their release by posting a cash sum with the sheriff of the county in lieu of an appearance bond.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Eddins and Andrews (with substitute):
S. 349. To amend Sections 278-283 of Title 55, Code of Alabama 1940, in relation to the public library service.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Samford and Hines:
S. 373. To establish the validity of bequests and devises made by will to the trustee or trustees of an existing trust.

By Mr. Andrews:
S. 381. To amend Sections 181 and 183 of Title 15, 1940 Code of Alabama, relating to removal of prisoners arrested in one county and triable in another county.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Robison (with amendment):
S. 335. To revise and amend Chapter 4 of Title 46 of the Code of Alabama (1940), relating to the licensing of general contractors.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a fevorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. deGraffenried and Caffey:
S. 346. To provide for the manner of payment, disposition and use of purchase money paid or payable for sale of any lands belonging to the State of Alabama for the use of the Insane of the State; situated in Mount Vernon Barracks Military Reservation, in Mobile County, Alabama.

By Mr. Eddins:
S. 309. Relating to partnership returns for state income tax purposes; amending Section 395 of Title 51, Code of Alabama 1940, to provide that such returns must be subscribed by the persons who make them, eliminating the requirement of an oath.

By Messrs. Crawford, Barnett, Webb, Clark and Givhan:
S. 328. To amend Section 215 of Title 22, Code of Alabama (1940), which prescribes the license fees payable by persons licensed by the Alabama State Milk Control Board.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas (with substitute):
S. 271. To regulate the practices of engineering and land surveying; to provide for the registration of qualified persons as professional engineers and land surveyors; to provide for the certification of engineers-in-training; to create a State Board of Registration for Professional Engineers and Land Surveyors; to provide for the appointment and compensation of its members; the fix the term of members of the Board and to define the powers and duties of the Board; to provide the minimum qualifications and other requirements for registration; to establish fees with expiration and renewal requirements; to limit the public works that can be constructed by the state and political subdivisions thereof without engineering supervision; and to provide for the enforcement of this Act and penalties for its violations; and to repeal conflicting laws, including Sections 129 through 150 inclusive of Title 46, Chapter 7, Code of Alabama (1940), as amended.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turnham:
H. 224. To amend further Section 104 of Title 51, Code of Alabama 1940, in relation to the meetings of boards of equalization to review assessments.

By Mr. Faulk:
H. 672. To amend Section 2, Item III, A (35) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the

ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

By Mr. Archer:
S. 267. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof," in relation to the compensation of the court reporters of the Twenty-third Judicial Circuit.

By Messrs. Kendall and Rutledge:
S. 361. To repeal Section 4 of the act approved September 5, 1951, providing for the State Bureau of Publicity and Information (Act No. 712, H. 48, Acts of Alabama 1951, p. 1250, 1251).

By Mr. Gilmer et al:
H. 252. To authorize the Commissioner of Agriculture and Industries to enter into contract by bond or insurance policy for the protection and benefit of employees of the Department of Agriculture and Industries engaged in work involving inspection and grading of agricultural products at shipping points and receiving centers.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Perry et al (with amendment):
H. 594. To amend Section 2 of the act entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented," which becomes effective October 1, 1959.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dumas, Givhan, Gaither, Golson, Hines, Andrews, Eddins, Green, Leonard, Porter, Caffey, Webb, Graham, Crawford, Kendall, Wyatt, Wilson, Barnett and Clark:
S. 303. Proposing an amendment to the Constitution of Alabama 1901, authorizing a bond issue of not exceeding one hundred million dollars ($100,000,000) for capital outlay for the public schools and institutions of higher learning.

The above Bill was read a second time at length as required by the Constitution.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cates:
H. 622. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Shelby County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Callahan and Ferguson:

H. 645. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census and to allow the Boards of Revenue or other like governing body of such counties to fix and set aside, by resolution, certain days of the week for the closing of the offices in the court house of such counties.

By Mr. Callahan:

H. 655. To amend Act No. 335 of the 1955 Acts of the Legislature (Vol. II, page 756) approved September 2, 1955, entitled An Act to Fix the Salary of the Stenographic Secretary to the Circuit Solicitor of the Sixth Judicial Circuit of Alabama.

By Mr. Jones (of Monroe):

H. 637. To apply in all counties having a population of not less than 25,725 nor more than 25,875, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county.

By Mr. Grouby (with notice and proof):

H. 690. Relating to the purchase of supplies, materials, equipment, and contractual services, and the sale or exchange of property, by or for Autauga County; providing for competitive bidding on certain contracts, purchases, sales, and exchanges; prescribing penalties.

By Mr. Grouby (with notice and proof):

H. 691. To regulate the compensation of the solicitor of Autauga County; amending Section 5 of Act No. 77, H. 325, approved July 7, 1947 (Local Acts 1947, p. 55).

By Mr. Grouby (with notice and proof):

H. 692. To provide for the repair, maintenance, and servicing of motor vehicles, automotive equipment, and machinery used in the construction and maintenance of public roads and bridges in Autauga County.

By Mr. Rozelle (with notice and proof):

H. 704. To alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

By Mr. Martin (with notice and proof):

H. 707. To levy county sales and use taxes for public school purposes in Greene County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; to provide penalties for violations of the Act; to supersede and repeal Act No. 24, H. 15, approved February 19, 1959.

By Mr. Hawkins et al:

H. 710. To authorize the Health Officer of any county of this State having a population of 500,000 or more according to the last or any subsequent Federal Census to obtain, perform or require an autopsy on or internal examination of the body of any person whose death the said Health Officer has reason to believe was caused by communicable disease or other cause related to the protection of the public health; to authorize the said Health Officer to make all necessary and reasonable

orders to secure and facilitate the making of such autopsy or internal examination; to provide that it shall be a misdemeanor for any person to impede, interfere with or obstruct the said Health Officer in his making or performing any such autopsy or examination, or to impede, interfere with or obstruct any other person in making or performing such autopsy or examination at the request of the said Health Officer; and to provide for the payment of expenses relating to said autopsy or internal examination.

By Mr. Perry et al (with notice and proof):

H. 711. To provide for the relief of Lula Braxton, out of the general funds of the City of Birmingham, a municipality, Jefferson County, Alabama.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 736. To Amend further Act No. 415, H. 665, approved September 24, 1919, as amended and revised by Act No. 66, H. 261 (Local Acts of Alabama, 1947, page 46) and as thereafter further amended, which established the Morgan County Court in order to authorize the judge of such court to fix, within a prescribed maximum, the salary of the reporter for such court and to give the Act retroactive effect.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 737. To amend further Section 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County on a salary, prescribed certain duties of the judge of probate, and provided for clerical assistance, office space, supplies, and equipment necessary for the operation of his office; providing further for the clerk-hire allowance of the judge of probate.

By Messrs. Murphy and Hocklander (with notice and proof):

H. 654. Relating to Mobile County; authorizing and directing the board of revenue and road commissioners of the county to establish and maintain a special fund to be used and expended by the sheriff of the county in law enforcement and in the conduct of his office; and regulating the disbursement of the moneys in this fund.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 738. To amend further Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, page 789) as amended, which fixes the compensation of members of the Board of Revenue and Control of Morgan County.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 739. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Morgan County, Alabama.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 740. To amend further Act No. 415, H. 665, approved September 24, 1919, the act that established the county court for Morgan County (Local Acts 1919, p. 194), in relation to the compensation of the register of the circuit court of Morgan County for ex officio services performed in said court.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 741. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 742. To alter, rearrange, and redefine the boundaries of the four subdivisions of Morgan County heretofore designated as districts for certain purposes prescribed by law.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 743. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, P. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

By Mr. Grouby (with notice and proof):

H. 772. Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

By Mr. Perry et al (with notice and proof):

H. 781. For the relief of V. Chambliss authorizing the County Commission of Jefferson County, Alabama, to make an appropriation from the County Treasury to compensate V. Chambliss for certain damages.

By Mr. Perry et al (with notice and proof):

H. 784. For the relief of Mrs. E. H. Golden and L. L. Tryon, authorizing the County Commission of Jefferson County, Alabama, to make an appropriation from the County Treasury to compensate the said Golden and Tryon for certain damages.

By Mr. Dodd (with notice and proof):

H. 785. Relating to game and fish in Lawrence County; to prohibit the use of gill nets, hoop nets, and trammel nets in taking, capturing, or killing fish in public waters anywhere in Lawrence County; prescribing penalties.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 796. To permit any bank now or hereafter having a combined or paid-in capital and paid-in or earned surplus of more than $500,000 and having an authorized office or place of business in Decatur, Alabama, to establish, maintain and operate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

By Messrs. Callahan and Ferguson (with notice and proof):

H. 803. To amend Sections 1, 3, and 4 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; altering, modifying, and changing the rates of tax provided for therein and extending the applicability of such taxes to certain sales and to the storage, use, or other consumption of certain property within Tuscaloosa County heretofore exempt, and redefining certain terms.

By Messrs. Shumate and Bevill (with notice and proof):

H. 805. To levy in Walker County a county license tax, in addition to all other taxes or licenses now required by law, on each package of cigarettes sold, stored, or received, for the purpose of distribution to any person, firm, corporation, club, or association within the county; to provide for the payment of the tax by the purchase and sale of stamps to be affixed to each package of cigarettes sold or distributed in such county; to provide for the ascertainment, collection, payment,

distribution, and use of such license tax and for the enforcement of this Act; and to prescribe penalties and fix the punishment for violations of the Act.

By Messrs. Shumate and Bevill (with notice and proof):
H. 806. To make an annual appropriation from the general fund of Walker County to support the People's Hospital of Walker County.

By Messrs. Shumate and Bevill (with notice and proof):
H. 807. To create a hospital board for Walker County, prescribe the jurisdiction, powers, and authority of the board with respect to the operation and maintenance of the Peoples' Hospital of Walker County, provide for the organization of the board, and for the appointment, qualification, terms, compensation, powers, and duties of members of the board, and repeal Act No. 374 approved July 6, 1943, Act No. 436 approved July 6, 1945, and all other conflicting laws.

By Mr. Perry et al (with notice and proof):
H. 810. To fix and require the payment of fees and costs in each case filed in the Jefferson County Civil Court; to require that all such fees be paid into the County Treasury of Jefferson County; and to provide the effective date of this Act.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Reynolds (Chambers) and McClendon (Chambers) (with notice and proof) (with amendment):
H. 657. To amend Act No. 496, H. 930, approved September 3, 1953 (Acts of Alabama, 1953, page 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Andrews (with notice and proof):
S. 377. To extend, alter and rearrange the boundary and corporate limits of the City of Union Springs, in Bullock County, Alabama.

By Mr. Leonard (with notice and proof):
S. 379. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the judge of probate, tax assessor, tax collector, sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties; and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistance, equipment, and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices.

By Mr. Dumas (with notice and proof):
S. 387. To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of

said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

By Mr. Perry et al (with notice and proof):
H. 595. Relating to the municipality of the City of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

By Mr. Morrow et al:
H. 712. To amend Section 797, Title 37, of the 1940 Code of the State of Alabama, as amended by Act No. 421 of the 1949 Regular Session of the Legislature of Alabama (General Acts, 1949, p. 597).

By Mr. Morrow et al:
H. 783. To amend Section 4 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 approved September 12, 1951 (Acts 1951, page 1579) as amended by Act No. 194 of the 1955 session of the Legislature of Alabama (Acts 1955, page 478) entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Torbert:
H. 596. To regulate further the sale, issuance, and redemption of trading stamps in the State of Alabama, to define trading stamps and trading stamp companies, to provide for the registration and filing of a performance bond by trading stamp companies with the Secretary of State, to prescribe the manner of redemption of trading stamps, to prescribe the power, duties and authority of the State Department of Revenue in the administration and enforcement of this Act, to provide for the licensing of trading stamp companies and to provide for the payment of privilege and license taxes in Alabama by trading stamp companies, to prescribe penalties for the violation of the provisions of this Act; and to repeal all laws in conflict herewith and also to repeal the provisions of Title 57, Section 114, and Title 51, Section 606, Code of Alabama 1940, as amended, and Act 110 (H. 182), approved February 14, 1956 (Acts of Alabama, 1956, V. 1, P. 166).

And sends same herewith to the Senate for its consideration

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 596 — to the Committee on Finance and Taxation.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 25. Naming H. B. 345 the "Godfrey-Meade Bill."

And on motion of Mr. Barnett, the Resolution was adopted by the Senate.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 13. Creating a Commission on Juvenile Delinquency.

And on motion of Mr. Archer, the Resolution was concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Message and ordered same returned to the Senate with a favorable report, to-wit:

Governor's Message appointing Mr. John F. Britton of Montgomery to the Board of Corrections, for the term expiring July 17, 1969.

And on motion of Mr. Robison, the Senate confirmed the appointment of Mr. John F. Britton to the Board of Corrections of Alabama.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 26. Relative to the death of R. F. Hudson, Jr.

OAKLEY MELTON, JR.,
Clerk.

RESOLUTIONS

Mr. Eddins offered the following Senate Joint Resolution, to-wit:

S. J. R. 27. RESOLVED by the Senate, the House concurring, that the two Houses shall hereafter meet on three legislative days in each week until this session is adjourned sine die.

Which was read and referred to the Standing Committee on Rules.

Mr. Green offered the following Senate Joint Resolution, to-wit:

S. J. R. 28. WHEREAS, the Mental Health program has received much publicity and attention by the people of Alabama as well as by the members of this Legislature and

WHEREAS, bills have been introduced in this Legislature and are now pending before the Legislature and it appears that some relief will be granted to this most worthwhile program but that the long range objectives and needs will not be fully met at this time and

WHEREAS, by the provisions of S. J. R. 6, Second Special Session 1959, a Legislative Committee on Mental Health has been created and said Committee has functioned in an able manner, there is a need to continue the work of this Committee,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the joint Legislative Committee created by S. J. R. 6, Second Special Session 1959, is hereby continued and authorized to continue working on the many problems which have not yet been solved in the field of mental health. Said Committee is authorized to hold public hearings, make a complete investigation into the matters of mental health as well as the hospital, bureaus and agencies receiving and expending money in connection with this program. The Committee shall advise with all agencies concerning the administration of the present mental health program and shill file a final report with the Legislature not later than the Fifth Legislative Day of the 1961 Regular Session.

Each member shall receive their regular legislative compensation and expenses for each day's actual attendance at a meeting of the Committee, but no member shall receive per diem for more than a total of sixty days.

The Committee is also authorized to employ such clerical assistance as is necessary and such personnel shall be paid in accordance with Title 32, Section 13 of the 1940 Code of Alabama. All of such expenses shall be paid out of any fund appropriated for the expenses of the Legislature.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

H. 531. To amend Section 1 of the act of August 19, 1957, changing the method of compensating certain officers of Cullman County (Act No. 297, H. 554, Acts 1957, Vol. I, p. 379).

Weas read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Andrews	Eddins	Hines	Rutledge	
Berryman	Gaither	Jones	Shelton	
Caffey	Givhan	Leonard	Webb	
Cooper	Golson	Moses	Wilson	
Crawford	Graham	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

S. 366. To provide an additional expense allowance to the judge of the Twenty-fifth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Roberts
Andrews	Dumas	Haltom	Rutledge
Archer	Farmer	Kendall	Shelton
Barnett	Gaither	Leonard	Webb
Berryman	Givhan	Moses	Wilson
Caffey	Golson	Porter	Wyatt
Cooper			—24

Nays: —0

The Bill:

S. 369. To regulate the manner of constructing, improving, maintaining, repairing, and equipping public school buildings in Chilton County.

was taken up.

Mr. Graham offered the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 369

Senate Bill 369 is hereby amended to read as follows:

Amend Section 1 of said bill, line 13, by placing a period after the word "County" where same appears and striking out the words "and also by publication at least one time in a newspaper of general circulation throughout the State."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Samford
Andrews	Farmer	Kendall	Shelton
Barnett	Gaither	Leonard	Turner
Berryman	Givhan	Moses	Webb
Caffey	Graham	Roberts	Wilson
Cooper	Haltom	Robison	Wyatt
deGraffenried			—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Berryman	deGraffenried	Gaither
Andrews	Caffey	Dumas	Givhan
Barnett	Cooper	Farmer	Graham

Haltom	Moses	Samford	Webb	
Jones	Roberts	Shelton	Wilson	
Kendall	Robison	Turner	Wyatt	
Leonard				—24

Nays: —0

The Bill:

S. 370. To amend Section 8 of the Act approved September 12, 1951, which established the Board of Revenue and Control of Chilton County (Act No. 872, H. 1118, Acts 1950-1951, vol. II, p. 1505); providing for nomination of each associate member of the Board by the voters of his district.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Archer	Eddins	Jones	Samford	
Barnett	Farmer	Leonard	Turner	
Berryman	Gaither	Moses	Webb	
Caffey	Givhan	Roberts	Wilson	
Cooper	Graham	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

S. 287. To provide for two judges of the Nineteenth Judicial Circuit of Alabama, prescribe their qualifications, and provide for their election or appointment and their compensation, jurisdiction, authority, powers, and duties.

was taken up.

Mr. Graham offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 287

In Section 1, strike out "after this Act takes effect" and insert "When an additional judge is elected and takes office as provided in Section 3"; also, in Section 1, strike out "one of whom shall be a resident and qualified elector of the most populous county in the circuit at the time of his election or appointment and during his continuance in office;"

Also, amend Section 3 of the bill to read as follows:

"Section 3. Circuit judge No. 2 as provided for in this Act shall first be elected at the next general election for any state officer for a term to expire at the next general election for circuit judges. His successor shall be chosen at such election and shall hold office until his successor is elected and qualified and takes office as provided in Section 1 of this Act."

Also, strike out Section 6 of the bill entirely.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Roberts
Andrews	Dumas	Hines	Robison
Barnett	Eddins	Jones	Samford
Berryman	Farmer	Kendall	Turner
Caffey	Gaither	Leonard	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Wyatt

—27

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Kendall	Rutledge
Barnett	Farmer	Leonard	Shelton
Berryman	Gaither	Moses	Turner
Caffey	Golson	Porter	Webb
Cooper	Graham	Roberts	Wilson
Crawford	Haltom	Robison	Wyatt
deGraffenried	Jones		

—25

Nays: —0

APPOINTMENT OF SENATE MEMBER TO THE ALABAMA COMMISSION ON JUVENILE COURT LEGISLATION

The President and Presiding Officer of the Senate appointed Mr. Green as Senate member on the Alabama Commission on Juvenile Court Legislation, in accordance with the provisions of H. J. R. 13.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

S. 122. To amend Section 123 of Title 7, Code of Alabama 1940, relating to actions for wrongful act, omission, or negligence causing death.

as amended.

The question was on the motion of Mr. Andrews that further consideration of the Bill, S. B. 122, as amended, be indefinitely postponed.

The motion to indefinitely postpone was lost.

Yeas 13; Nays 14.

Yeas:

Messrs.:	Givhan	Kendall	Samford
Andrews	Golson	Moses	Shelton
Berryman	Graham	Roberts	Wilson
Cooper	Green		

—13

Nays:

Messrs.:	deGraffenried	Haltom	Porter	
Archer	Dumas	Hines	Robison	
Caffey	Eddins	Jones	Webb	
Crawford	Farmer	Leonard		—14

PAIRED VOTE ANNOUNCED

Mr. Turner announced that he was paired with Mr. Word on this vote; that Mr. Word, if present, would vote "Yea", and he, Mr. Turner, would vote "Nay".

And said Bill, as thus amended, was then read a third time at length, and the vote on its passage resulted in a tie vote.

Yeas 15; Nays 15.

Yeas:

Messrs.:	Dumas	Haltom	Porter	
Archer	Eddins	Hines	Robison	
Caffey	Farmer	Jones	Rutledge	
deGraffenried	Gaither	Leonard	Webb	
				—15

Nays:

Messrs.:	Cooper	Graham	Roberts	
Andrews	Crawford	Green	Samford	
Barnett	Givhan	Kendall	Shelton	
Berryman	Golson	Moses	Wilson	
				—15

TIE VOTE

The President and Presiding Officer of the Senate voted "Yea"; thereupon said Bill was passed and ordered sent forthwith to the House without engrossment.

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 26. Mourning the passing of R. F. Hudson, Jr. and expressing sympathy.

HUGH MOSES,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title

had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

S. 354. To amend Section 1 of Act No. 296, page 493, 1945 General Acts of Alabama, approved July 7, 1945, entitled "An Act To amend Section 55 of Title 8 of the Code of Alabama 1940" which pertains to the fees of arresting officers in game and fish cases.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Porter
Barnett	Eddins	Haltom	Robison
Berryman	Farmer	Hines	Rutledge
Caffey	Gaither	Jones	Samford
Cooper	Givhan	Kendall	Shelton
Crawford	Golson	Leonard	Turner
deGraffenried	Graham	Moses	Webb

—27

Nays: —0

The Bill:

S. 308. To make additional appropriations to the State Health Department for each of the fiscal years ending September 30, 1960, and September 30, 1961.

was taken up.

Mr. Dumas offered the following substitute for the Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To make additional appropriations to the State Health Department for each of the fiscal years ending September 30, 1960, and September 30, 1961.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated to the State Health Department for cancer control work during each of the fiscal years ending September 30, 1960, and September 30, 1961, respectively, the sum of eighty-five thousand dollars ($85,000). The appropriation for the fiscal year ending September 30, 1961, shall not, however, exceed the unexpended balance of appropriations made to the State Health Department for tuberculosis control for the fiscal year ending September 30, 1960.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:				
Andrews	Dumas	Haltom	Roberts	
Barnett	Eddins	Hines	Robison	
Berryman	Farmer	Jones	Rutledge	
Caffey	Gaither	Kendall	Samford	
Cooper	Givhan	Leonard	Shelton	
Crawford	Graham	Moses	Webb	
deGraffenried	Green	Porter	Wilson	
				—28

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:				
Andrews	Crawford	Green	Porter	
Archer	deGraffenried	Haltom	Roberts	
Barnett	Dumas	Hines	Samford	
Berryman	Eddins	Jones	Shelton	
Caffey	Farmer	Kendall	Turner	
Cooper	Gaither	Leonard	Webb	
	Graham	Moses	Wilson	
				—27

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hocklander:
H. 791. To fix the compensation of the clerk of the Inferior Civil Court of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of the State of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the clerk of the Inferior Civil Court of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. That the salary of the ex-officio clerk of the Inferior Civil Court in Mobile County is hereby fixed at twelve hundred ($1,200) dollars per annum, payable in twelve monthly installments out of the Treasury of Mobile County.

Section 2. All laws or parts of laws in conflict herewith are hereby expressly repealed.

Section 3. This act shall go into effect upon its passage and approval of the governor.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register 8/27 9/3.10.17 1959.

A. A. JOHNSON.

Sworn to and subscribed before me This 21st day of September, 1959.

GREG L. KENNY,
Notary Public.

Also:

By Mr. Speaks:

H. 812. To levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

to be introduced at the 1959 Regular Session of the Alabama State Legislature or any Special Session of the Legislature.

STATE OF ALABAMA
COUNTY OF CHILTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state tales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the State department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing

for the administration and enforcement of the Act, and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. All words, terms, and phrases that are defined in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, which levies a state sales tax, and in Article 11, Chapter 20, Code of Alabama 1940, as amended, shall, where used in this Act, have the meanings respectively ascribed to them in said Act No. 100 of August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words, terms, and phrases where used in this Act shall have the following respective meanings except where the context clearly indicates a different meaning:

"State sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, enacted at the Special Session of the Legislature of Alabama that convened June 24, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act. No. 100, heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act. No. 100 and all other statutes heretofore enacted which expressly apply to, or purport to affect the administration of said act and the incidence and collection of the tax imposed therein;

"State sales tax" means the tax imposed by the state sales tax statutes;

"State use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article II and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein;

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. Effective on the first day of the month succeeding the month during which this Act becomes a law, there is hereby levied in Chilton County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

1. Upon every person, firm or corporation engaged or continuing within Chilton County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities

of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within Chilton County in the business of conducting or operating places or amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Chilton County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within Chilton County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines, attachments or replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily so used, an amount equal to one-half of one percent of the gross proceeds of the sale of such machines, attachments, parts and replacements therefor.

4. Upon every person, firm, or corporation engaged or continuing within Chilton County in the business of selling at retail any automotive vehicle or truck trailers and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer. Provided, that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment of the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

There are exempted, however, from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the state sales tax statutes from the computation of the amount of the state sales tax.

Section 3. An excise tax is hereby imposed on—

(a) The storage, use, or other consumption in Chilton County of tangible personal property purchased at retail, on or after the first day of the month next succeeding the month during which this Act shall become a law, for storage, use or other consumption in Chilton

County, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Chilton County or in this state, except as provided in subsections (b) and (c), of this section; and

(b) The storage, use, or other consumption in Chilton County of any new or used automotive vehicle, truck trailer or semi-trailer purchased at retail on or after the first day of the month next succeeding the month during which this Act becomes a law, for storage, use, or other consumption in Chilton County, at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid in the net difference, that is, the difference of the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

(c) The storage, use, or other consumption in Chilton County of any machine used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, including the parts of such machines, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail on or after the first day of the month next succeeding the month during which this Act becomes a law, for storage, use, or other consumption in Chilton County, at the rate of one-half of one percent of the sales price of such machine or the parts, attachments, or replacements therefor.

There are exempted, however, from the provisions of this section and the tax imposed in this section the storage, use, or other consumption of property the storage, use, or other consumption of which is presently exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Chilton County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given pursuant to Section 5 of this Act to the purchaser of any property to be used, stored, or consumed in Chilton County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may prefer.

Section 4. The taxes levied in Section 2 of this Act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the taxes levied in Section 3 of this Act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes herein levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are provided in Section 2 hereof to be used as a measurement of the tax levied in said Section 2, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 3 hereof, the total sales price

of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 3 during the then preceding quarterly period; provided, however, that said report shall include also such other items of information pertinent to the said taxes in the amount thereof as the state department of revenue may require. Any person subject to the taxes levied in Section 2 hereof may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Chilton County, or its designated agent, at reasonable times during business hours.

Section 5. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Chilton County (which storage, use, or other consumption is not herein exempted from the tax imposed in Section 3 hereof) shall at the time of making such sale or, if the storage, use, or other consumption of such tangible personal property in Chilton County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax imposed by Section 2 of this Act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed by Section 3 of this Act during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall omit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Chilton County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed by Section 3 of this Act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4.

Section 6. Each person engaging or continuing within Chilton County in a business subject to the taxes levied in Section 2 of this Act shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes levied in said Section 2; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 5 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2 to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be

so added to the sale or admission price and collect from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 3 of this Act or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 7. The taxes imposed by this Act shall constitute a debt due Chilton County and may be collected by civil suit, in addition to all other methods provided by law in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All of the provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due this state shall apply fully to the collection of the taxes herein levied, and the state department of revenue, for the use and benefit of Chilton County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the state use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving this Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Chilton County.

Section 8. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of monthly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 2 hereof, shall apply to the tax levied in the said Section 2; and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 3 hereof, shall apply to the tax levied in the said Section 3. The state commissioner of revenue and the state department of revenue shall have and exercise all of the same powers, duties and obligations with respect to the taxes levied in Section 2 and 3 hereof that are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable in this Act to the taxes herein levied and to the administration of this Act are hereby incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 9. The state department of revenue shall charge Chilton County for collecting the special taxes levied by this Act such amount

or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge will not in any event exceed two percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Chilton County for that month. The commissioner of revenue shall pay into the state treasury all taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Chilton County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Chilton County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Chilton County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of Chilton County. The custodian of public school funds of Chilton County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county, and shall maintain separate records of such special account. The county board of education shall require an additional bond of the custodian of public school funds, in an amount to be prescribed by the board of education and payable to the board and conditioned as prescribed by law. Such additional bond shall be filed and recorded in the office of the judge of probate of the county. The premiums on such bonds shall be paid from any school funds derived hereunder.

Section 10. The proceeds of the taxes levied in this Act shall be used by the county board of education of Chilton County solely for the purpose of constructing, improving, maintaining, repairing, and equipping public school buildings, and acquiring sites therefor, within the county; or the proceeds of such taxes may be used to pay the principal of, and the interest on, any securities issued pursuant to law for the purpose of constructing, improving, maintaining, repairing, and equipping public school buildings, and acquiring sites therefor, within the county.

Section 11. The levy of taxes herein made shall terminate at midnight on December 31, 1969, unless prior to that date there shall have been held in Chilton County, by the qualified electors thereof, a referendum election at which a majority of the qualified electors participating therein vote in favor of the continuation of such levy for a further period of ten years from said date, in which event such taxes shall continue in effect until midnight on December 31, 1979. The court of county commissioners, board of revenue, or other like governing body of Chilton County shall order and provide for the holding of such a referendum not less than three months before the termination date of the levy as herein provided. When the levy of taxes herein terminates as provided herein, all of the provisions of this Act pertaining to the payment and collection of the taxes herein levied, the making of reports and maintenance of records with respect there-

to, and in general the enforcement of this Act shall thereafter continue to be effective with respect to the taxes herein levied that shall have accrued hereunder prior to such termination date.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. This Act shall become effective on the first day of the month succeeding the month during which the Act shall be approved by the Governor or shall otherwise become a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 3rd, Sept. 10th, Sept. 17th, and Sept. 24, all in the year 1959.

R. M. TUCKER.

Sworn to and subscribed before me Sept. 24th, 1959.

J. C. BENNETT,
Notary Public.

Also:

By Messrs. Hanby and Copeland:
H. 813. To validate certain elections held in the year 1958 under the provisions of Articles 6 and 7, Chapter 10, Title 52, Code of Alabama (1940), and Section 216, Article 11, Constitution of Alabama.

Also:

By Messrs. Branyon and Self:
H. 814. To alter, extend and rearrange the boundary line and corporate limits of the Town of Glen Allen in Marion and Fayette Counties, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and rearrange the boundary line and corporate limits of the Town of Glen Allen in Marion and Fayette Counties, Alabama

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Glen Allen in Marion and Fayette Counties, Alabama, are hereby altered, extended, and rearranged so that in addition to the territory presently described herein will be and lie within the boundaries and corporate limits of such towns:

The SW ¼ of SW ¼, Section 18, Township 13 South Range 11, West, SW ¼ of NW ¼, NW ¼ of SW¼, SW¼ of SW¼, S½ of NE¼ of SW¼, SE¼ of SW¼, SW¼ of SE¼, All in Section 13, Township 13, South, Range 12 West all situated, lying and being in Marion County, Alabama, and the

NE¼ of NW¼, NW¼ of NE½, E½ of SW¼ of NW NE¼, SE¼ of NE¼, NW¼ ¼, SE¼ of NW¼, SW of NE¼, SE¼ of NE¼, NW¼ of SE¼, SW¼ of SE¼ All in Section 24, Township 13, South, Range 12, West all situated, lying and being in Fayette County, Alabama, SW¼ of NW ¼, Section 19, Township 13 South, Range 11 West, Fayette County, Alabama. The NW ¼ of NE ¼, W ½ of NE ¼ of NE ¼ and the W ½ of SE ¼ of NE ¼, all in Section 25, Township 13, South, Range 12, West, Fayette County, Alabama.

SECTION 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
MARION COUNTY

Personally appeared before me, the undersigned authority in and for said county and state, Oscar Roden, who, after being duly sworn, deposes and says:

My name is Oscar Roden. I am publisher of the Marion County News-Journal, a newspaper of general circulation, published weekly in Marion county, Alabama. The copy of publication hereto attached was published in said newspaper for four consecutive weeks, and the respective numbers and date of said newspaper in which said publication was made are the following, to-wit:

No. 1 the 27 day of Aug., 1959

No. 2 the 3 day of Sept., 1959

No. 3 the 10 day of Sept., 1959

No. 4 the 17th day of Sept., 1959

OSCAR RODEN,
Publisher.

Sworn and subscribed to before me this 17th day of Sept., 1959.

BESSIE D. GRAY,
Notary Public.

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and rearrange the boundary line and corporate limits of the Town of Glen Allen in Marion and Fayette Counties, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Glen Allen in Marion and Fayette Counties, Alabama, are hereby altered, extended, and rearranged so that in addition to the territory presently described herein will be and lie within the boundaries and corporate limits of such town:

The SW-quarter of SW-quarter, Section 18, Township 13 South, Range 11, West; SW-quarter of NW-quarter, NW-quarter of SW-quarter, SW-quarter of SW-quarter, S-half of NE-quarter of SW-quarter, SE-quarter of SW-quarter, SW-quarter of SE-quarter, All in Section 13, Township 13, South, Range 12 West all situated, lying and being in Marion County, Alabama, and the

NE-quarter of NW-quarter; NW-quarter of NE-quarter. E-half of SW-quarter of NW-quarter. SE-quarter of NW-quarter. SW-quarter of NE-quarter, SE-quarter of NE-quarter, NW-quarter of SE-quarter, SW-quarter of SE-quarter, All in Section 24, Township 13, South, Range 12, West all situated, lying and being in Fayette County, Alabama. SW-quarter of NW-quarter, Section 19. Township 13 South, Range 11 West, Fayette County, Alabama. The NW-quarter of NE-quarter, W-half of NE-quarter of NE-quarter and the W-half of SE-quarter of NE-quarter, all in Section 25, Township 13, South, Range 12, West, Fayette County, Alabama.

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA,
FAYETTE COUNTY

Personally appeared the undersigned who, being duly sworn, says he is the Publisher of the Fayette County Times, a newspaper published and printed each Thursday in Fayette, Alabama, in said County and State, and that the notice hereto attached was published in said newspaper for four successive weeks on towit: August 27, Sept. 3, Sept. 10, Sept. 17, 1959.

LEWIS V. MITCHELL.

Sworn to and subscribed to me this 17th day of September, 1959.

ILA M. MITCHELL,
Notary Public.

Also:

By Messrs. Bevill and Shumate:

H. 830. To provide for the appointment, tenure, and compensation of a stenographic secretary for the judge of the county court of Walker County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the appointment, tenure, and compensation of a stenographic secretary for the judge of the county court of Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of the county court of Walker County may employ a stenographic secretary, who shall receive a salary of two thousand four hundred dollars ($2,400) a year, payable in equal monthly installments out of the treasury of Walker County in the same manner as the salaries of other county employees are paid. The stenographic secretary provided for herein shall be appointed by the judge of the county court of Walker County, and shall serve at his pleasure.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Tom Bevill

Alonzo Shumate

7-30-4t

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared William G. Jones, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 30, August 6, August 13, and August 20, all in the year 1959.

WILLIAM G. JONES, JR.

Sworn to and subscribed before me 24th day of September, 1959.

LATHAM G. SADDLER,
Notary Public.

Also:

By Mr. Ray:

H. 832. To repeal Act No. 336 of the Regular Session of the Legislature of Alabama of 1951, entitled "An Act Relating to Winston

County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951 (Acts of Alabama, 1951, page 624.)

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced into the Legislature of Alabama, at its regular session in 1959, and application made for its passage, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act. No. 336 of the Regular Session of the Legislature of Alabama of 1951, entitled "AN ACT Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951 (Acts of Alabama, 1951, page 624.)

Be It Enacted by the Legislature of Alabama:

Section 1. — That Act No. 336 of the Regular Session of the Legislature of Alabama of 1951, entitled "AN ACT Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951, (Acts of Alabama, 1951, page 624), be and the same is hereby repealed.

Section 2. — This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for Four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 30th day of July, 1959, and the last copy of said publication appearing in the said paper on the 20th day of August, 1959.

JAY THORNTON.

Sworn and subscribed to before me this 18th day of September, 1959.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Ray:
H. 833. To authorize, direct, and require the state department of revenue to collect any sales and use taxes which may be levied in the municipality of Double Springs, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said municipality; to prescribe the powers, duties, and authority of the state department of revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize, direct, and require the State Department of Revenue to collect any sales and use taxes which may be levied in the Town of Double Springs, in Winston County, Alabama, under the provisions of any ordinances or resolution duly promulgated and adopted by the governing body of the Town of Double Springs, to prescribe the power, duties and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes, and remitting the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Department of Revenue is hereby authorized, directed, and required to collect any sales and use taxes which may be levied in the Town of Double Springs, in Winston County, Alabama, under the provisions of any municipal ordinance or resolution duly promulgated and adopted by the governing body of the Town of Double Springs. Such municipal sales and use taxes shall be collected by the department at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under the provisions of Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, and all reports now required to be made to the Commissioner of Revenue shall, on request of the Department of Revenue, be available for inspection by the governing body of the Town of Double Springs, or its designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes, and shall have all authority and duties in connection with such taxes as are now given by law to the Department of Revenue or the Commissioner of Revenue in connection with the collection of the State's sales and use taxes provided for by Articles 10 and 11 of Chapter 20, Title 51, Code of Alabama (1940), as amended. It shall be the duty of the Commissioner of Revenue to pay into the state treasury all such taxes collected,

for the Town of Double Springs under this Act, and on or before the first day of the following month, the commissioner shall certify to the comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of the Town of Double Springs during the calendar month immediately preceding the making of such certificate. Whereupon it shall be the duty of the Comptroller to issue payable as follows, for the amount so certified by the Commissioner his warrant on the State Treasurer, of Revenue as having been collected for the use of the Town of Double Springs and paid into the state treasury; and the amount so certified by the Commissioner of Revenue as having been collected for use of such city shall be paid to the treasurer or other custodian of funds of the Town of Double Springs. The Department of Revenue shall charge the Town of Double Springs for collecting such municipal sales and use taxes a percentage of said taxes to be computed on the same basis as the total cost of collecting the state sales and use taxes bears to the total of said state sales and use taxes collected for each fiscal year ending September 30th. Such charge for collecting such municipal sales and use taxes shall be deducted once each year from the taxes collected in the month of September of each year before certifying the amount of such taxes due to the Town of Double Springs for said month. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes, and otherwise to enforce the provisions of this Act, including any litigation involving this Act: and the Department of Revenue shall pay such special council such fees as it deems necessary and proper from the proceeds of the taxes collected by it for the Town of Double Springs under the provisions of this Act.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on the first day of the first month next following the date of its enactment.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The The Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 21st day of May, 1959, and the last copy of said publication appearing in the said paper on the 11th day of June, 1959.

JAY THORNTON.

Sworn and subscribed to before me this 20th day of June, 1959.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Ray:

H. 834. To create and establish a single governing body in and for Winston County, to be known as the Board of Revenue of Winston County, Alabama, to be composed of three members, one of whom shall be chairman of said Board; to provide for the selection and election of the chairman and associate members of said Board; to fix their qualifications and term of office; to fix their compensation and prescribe the funds from which it may be paid; to define and prescribe the jurisdiction, power, and authority of said Board of Revenue, its chairman, and its members, and to repeal all laws, local and general, in conflict herewith.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish a single governing body in and for Winston County, to be known as the Board of Revenue of Winston County, Alabama, to be composed of three members, one of whom shall be chairman of said Board; to provide for the selection and election of the chairman and associate members of said Board; to fix their qualifications and term of office; to fix their compensation and prescribe the funds from which it may be paid; to define and prescribe the jurisdiction, power, and authority of said Board of Revenue, its chairman, and its members, and to repeal all laws, local and general, in conflict herewith.

Be It Enacted by the Legislature of Alabama:

SECTION 1. There is hereby created and established in and for Winston County a single governing body, which shall be known as the "Board of Revenue of Winston County, Alabama." It may be known as the "Board of Revenue of Winston County," the "Winston County Board of Revenue," or, when the context so indicates, the "Board of Revenue," or, simply the "Board."

SECTION 2. The Board of Revenue shall be composed of three members — a chairman and two associate members, all of whom must be qualified voters of Winston County, Alabama. One associate member of the Board must be a resident of the area of the county now constituting the Double Springs Division of the Circuit Court (that is, the area composed of beats 1, 4, 5, 6, 7, 8, and 9), which area shall be known as district number one (1). The other associate member must be a resident of the area of the county now constituting the Haleyville Division of the Circuit Court of Winston County (that is, the area composed of beats 2, 3, 10, and 11), which area shall be known as district number two (2). The chairman may reside anywhere in Winston County.

SECTION 3. The initial term of office of the chairman of said Board of Revenue shall be from the date of the passage of this Act

until the first Monday after the second Tuesday in January, 1961, and until his successor is elected, and qualified. The initial term of office of the associate members of said Board of Revenue shall be from the passage of this Act until the first Monday after the second Tuesday in January, 1963, and until their successors are elected and qualified. John Ward is hereby designated as chairman of the Board of Revenue of Winston County for the initial term. Dorthen Wadsworth is hereby designated as associate member of the Board of Revenue of Winston County for District number one (1) for the initial term. Horace J. Glenn is hereby designated as associate member of the Board of Revenue of Winston County for District number two (2) for the initial term. The chairman and associate members of said Board of Revenue shall enter into bond and take the oath of office as herein provided.

SECTION 4. (a) At the general election to be held in and for Winston County in November, 1960, and every four years thereafter, the chairman of the Board of Revenue shall be elected by the qualified voters of Winston County for the term of four years commencing on the first Monday after the second Tuesday in January next succeeding his election.

(b) At the general election to be held in and for Winston County in November, 1962, and every four years thereafter, one associate member of the Board of Revenue shall be elected by the qualified voters of district number one (1), and one associate member of the Board of Revenue shall be elected by the qualified voters of district number two (2), each for the term of four years commencing on the first Monday after the second Tuesday in January next succeeding their election.

(c) Candidate for chairman and associate member of the Board of Revenue shall be nominated by political parties as candidates for other county officers are nominated. The nomination or election of any candidate for chairman or associate member of the Board of Revenue may be contested in the same manner as the nomination or election of any candidate for Sheriff may be contested.

SECTION 5. In the event of a vacancy in the office of chairman or associate member of the Board of Revenue, the vacancy shall be filled by appointment by the Governor for the unexpired term. The chairman and associate members of the Board of Revenue shall serve until their successors are elected and qualified.

SECTION 6. The Board of Revenue shall have and exercise all the jurisdiction, power, and authority which are now or may hereafter be by law vested in the courts of county commissioners, boards of revenue, and other like county governing bodies in Alabama; and the chairman and associate members of the Board shall perform all duties and services which are or may be provided by law for chairman and members of courts of county commissioners, boards of revenue, and other like county governing bodies in Alabama provided, however, that said Board of Revenue shall have only the following jurisdiction, power, authority, and duties relative to the construction, maintenance, and repair of roads, bridges, and ferries in said county:

(a) To levy road and bridge taxes and to appropriate money for the construction, maintenance, and repair of county roads, bridges, and ferries, as provided by law;

(b) To borrow money and issue bonds for warrants or other evidence of indebtedness, subject to the approval of the State Highway

Department, for the purpose of construction, maintaining, and repairing county roads, bridges, and ferries, as provided by law;

(c) To acquire, subject to the approval of the State Highway Department, right-of-way for necessary roads, bridges, and ferries, either by negotiation or by the exercise of the right of eminent domain, and to pay for the entire cost of such right-of-way out of any road and bridge funds available for that purpose, including any State gasoline tax money belonging to Winston County;

(d) To determine the order of priority of construction of new roads, bridges, and ferries in the county, and to determine what percentage of the road and bridge funds shall be spent for maintenance purposes; provided, however, that not more than.....percent of such funds shall be spent for road maintenance without the consent of the state highway department.

(e) For the purpose of more effectively exercising its jurisdiction power, and authority and performing its duties relative to roads and bridges, the Board of Revenue, its chairman and associate members, shall from time to time, inspect the roads and bridges of said county.

SECTION 7. The Board of Revenue shall hold at least two regular meetings in each month on dates to be fixed by resolution adopted by the Board and recorded in its minutes. Unless the regular meeting dates are otherwise fixed by such resolution so adopted and recorded, they shall be held on the first Monday and last week-day of each month. The Board may hold special meetings on the call of the chairman or the two associate members of the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions; and there shall be recorded therein the vote of each number. At such meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection at reasonable times.

Section 8. The chairman of said Board of Revenue shall be its presiding officer, and shall sign the minutes of the proceedings of said Board, and shall have the same power and authority as the associate members in passing on all questions, and shall sign all warrants drawn on the County Treasury and all orders for the payment and disbursement of funds of the county, and shall sign all contracts entered into by the Board of Revenue of Winston County. It shall be the duty of the Chairman to prepare the business and obtain information for the sessions of the Board of Revenue and see that all orders thereof are propertly executed. He shall exercise all the duties required of the Probate Judge as to matters coming before courts of county commissioners. He shall devote his entire time to his office.

SECTION 9. The chairman of the Board of Revenue shall so serve as purchasing agent for the county, and shall negotiate for the purchase and acquisition of all supplies, equipment, materials or contractual services required or used by the county or any of its officers, departments, and agencies. All such purchases shall be made in accordance with the requirements of the general laws of Alabama. He shall keep a current inventory of all property owned or leased by the county, which inventory shall show where such property is located and in whose possession or under whose control it is.

SECTION 10. The Board of Revenue may appoint such clerical assistance as is necessary for the convenient and orderly transaction of its business, and fix their salaries and terms of employment. The

Board may require any of such employees to give bond in such sum as it may require, for the faithful performance of duty, and may pay the premium on such bond.

SECTION 11. Before entering upon the discharge of their duties, the chairman and associate members of the Board of Revenue shall take the oath required of public officers. Each of them shall also execute an official bond with good and sufficient surety or sureties, payable to the State of Alabama, conditioned faithfully to discharge the duties of such office during the time he continues therein, or discharges any of the duties thereof. The bond of the chairman shall be in the sum of ten thousand dollars and the bond of each of the associate members shall be three thousand dollars. Such bonds may be approved by the Probate Judge of Winston County, the Judge of the Law and Equity Court of Winston County, or the Judge of the Circuit Court of Winston County, and such approval is declared to be a judicial act. The bonds shall be filed and recorded in the office of the Judge of Probate of Winston County, and the premiums on such bonds shall be paid by the county.

SECTION 12. The Chairman of the Board of Revenue shall receive a salary of four hundred dollars ($400.00) per month, as full compensation for his services to the county. During the interim or initial term (that is, until the first Monday after the second Tuesday in January, 1963) the associate members of the board shall each receive a salary of three hundred dollars ($300.00) per month, and shall receive five cents per mile for each mile actually traveled in the performance of their duties, provided, however, that no associate member may receive more than twenty-five dollars ($25.00) mileage in any one month. After the interim or initial term (that is, beginning the first Monday after the second Tuesday in January, 1963) the associate members of the Board of Revenue shall each receive a salary of one hundred dollars per month, plus eight cents per mile for each mile actually traveled in the performance of their duties; provided, however, that no such associate members shall receive more than twenty-five dollars in mileage in any one month. The compensation herein provided for the chairman and associate members of the Board shall be paid from any funds available for that purpose; provided, however, that the Board may direct that one-third of such salaries may be paid out of any road and bridge funds available for that purpose, including any State gasoline tax moneys belonging to Winston County.

SECTION 13. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 14. The provisions of this act are severable. If any section, clause, sentence, or provision of this act shall be declared to be invalid or unconstitutional, it shall not affect the validity of any remaining section, clause, sentence, or provision hereof. If the specific application of any section, clause, sentence, or provision of this Act shall be held invalid or unconstitutional, it shall not affect the validity of such section, clause, sentence, or provision as to any other specific application which is not of itself unconstitutional.

SECTION 15. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said County and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton, I am editor and publisher of The Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 13th day of August, 1959, and the last copy of said publication appearing in said paper on the 3rd day of September, 1959.

JAY THORNTON.

Sworn and subscribed to before me this 18th day of September, 1959.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Hocklander:

H. 72. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

Also:

By Mr. Hocklander:

H. 73. Relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

Also:

By Mr. McCorquodale:

H. 696. To provide that clerks of county courts in all counties having a population of not less than 26,000, nor more than 26,600, according to the most recent federal decennial census, may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

Also:

By Mr. Owens:

H. 777. To provide further for enforcement of highway traffic control laws and rules of the road by deputy sheriffs in counties having a population of not less than 18,700 nor more than 19,000, according to the most recent federal decennial census.

Also:

By Messrs. Edwards, Sessions, Hawkins, Locke, Rast, Morrow and Perry:

H. 822. To apply in and only in counties in Alabama having a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census, and to empower and authorize the County Commission, board of revenue, or like governing body of all such counties to authorize and approve a monetary allowance not to exceed the

sum of Six Hundred Dollars annually, payable in monthly installments, to be made to the Judge of Probate in such county for and on account of the use of an automobile owned or controlled by such Judge of Probate in the event such automobile is used by such Judge of Probate partially or entirely in connection with the performance of his official duties as such Judge of Probate, which sum shall include all other expenses incurred by such Judge of Probate in travelling in his official duties.

Also:

By Messrs. Hawkins, Rast, Sessions, Locke, Edwards, Morrow and Perry:

H. 821. Relating to counties having a population of 500,000 or more, according to the last or any subsequent federal decennial census; to provide for levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in such counties, such tax to be measured by the gross receipts or gross proceeds of such businesses; to provide for levying an excise tax on the storage, use or other consumption in such counties of tangible personal property purchased for use. storage or other consumption in such counties; specifying sales and transactions that are exempt from the measurement of the license tax; specifying property the use, storage or other consumption of which is exempt from the excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of said taxes, and the enforcement of the provisions of this Act; making applicable to the taxes herein levied, and adopting certain provisions of Act No. 100, H. B. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama, as amended; providing the commissioner of the state department of revenue and the department of revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for the use of the revenues from said taxes; providing for referenda or elections of the qualified electors for making the taxes applicable to any such county; and providing for the termination of the taxes imposed subject to referenda or elections of the qualified electors of such county.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 813 — to the Committee on Judiciary

H. B.'s 791, 812, 814, 830, 832, 833, 834, 72, 73, 696, 777, 822 and 821 — to the Committee on Local Legislation

MOTION TO RECONSIDER TABLED

Mr. deGraffenried moved that the Senate reconsider the vote by which it passed the Bill, S. B. 122, as amended, and then moved that

the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 23; Nays 4.

Yeas:

Messrs.:	deGraffenried	Graham	Leonard
Archer	Dumas	Green	Porter
Barnett	Eddins	Haltom	Robison
Berryman	Farmer	Hines	Rutledge
Caffey	Gaither	Jones	Webb
Crawford	Givhan	Kendall	Wilson

—23

Nays: Messrs. Andrews, Cooper, Moses and Samford. —4

PAIRED VOTE ANNOUNCED

Mr. Turner announced that he and Mr. Word were paired on this vote; that Mr. Word, if present, would vote "Nay", and he, Mr. Turner, would vote "Yea".

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 13. Relative to establishing the Alabama Commission on Juvenile Court Legislation.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the present of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 591. To permit the use of facsimile signatures on bonds, warrants, notes, and certificates issued by any county, municipality, board of education, or public corporation in this state, the use of facsimile signatures thereon in any instance where authentication, certification of validation or registration, or other certification is required or permitted to be recorded thereon, and the reproduction in facsimile of any seal required or permitted to be affixed or impressed thereon.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Archer	Caffey	Crawford
Andrews	Berryman	Cooper	deGraffenried

Dumas	Graham	Moses	Samford	
Eddins	Green	Porter	Shelton	
Farmer	Haltom	Robison	Webb	
Gaither	Hines	Rutledge	Wilson	
Givhan				—24

Nays: —0

The Bill:

H. 592. To Amend Section 107 of Title 12 of the Code of Alabama of 1940 so as to provide for the execution of bonds of counties by any two or more officers designated for that purpose by the governing body of the county, and so as to permit the use of facsimile signatures and seals in the execution of such bonds.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Andrews	Dumas	Green	Rutledge	
Archer	Eddins	Haltom	Samford	
Caffey	Farmer	Hines	Shelton	
Cooper	Gaither	Moses	Webb	
Crawford	Givhan	Porter	Wilson	
				—23

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 269. Providing further for the compensation and allowances of members of the court of county commissioners or other like governing body of St. Clair County.

Also:

S. 342. Proposing an amendment to the Constitution of Alabama providing for a special tax in Winston County for school purposes.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Nichols, McLendon (Bullock), and Powell:

H. 335. To make further provision regarding the taxation affecting motor fuel, as defined in this Act, sold to, or withdrawn from storage or used in this State by motor carriers, as defined in this Act,

including the imposition of an excise tax measured by the quantity of motor fuel used by such motor carriers in their operations in this State; the definition of the terms motor vehicle, motor carrier, operations, motor fuel, Commissioner, gasoline tax and Diesel fuel tax, as used in this Act; the fixing of the amount of such tax and provision for the collection thereof; provision for credit upon such tax for payment of the gasoline tax and the Diesel fuel tax and, in certain cases, provision for refunds of the gasoline tax and the Diesel fuel tax, if proper bond be given; provision for an audit of the records of applicants for refunds; provision for penalties for the violation of this Act; provision for the costs of administration of this Act; provision for the disposition of the proceeds of the tax imposed by this Act; provision for the making of reports by all motor carriers subject to this Act and for joint reports by certain of such motor carriers; provision for sales of motor fuel, as defined in this Act, to motor carriers duly reporting pursuant to this Act by a distributor or storer without liability for the gasoline tax or the Diesel fuel tax if such motor carrier has given bond in such amount as may be required by the Commissioner to secure the payment of the tax imposed by this Act; authorizing the Commissioner of the State Department of Revenue to promulgate rules and regulations with respect to the enforcement of the provisions of this Act; provision for reciprocal agreements with other states; provision for the modification and repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; the fixing of the effective date of this Act; and generally, provision for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 335 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hanby:

H. 533. Relating to taxation: exempting the gross proceeds of sales of certain small stores or vending stands operated by blind persons from the sales tax, and prescribing penalties for violations of this Act.

Also:

By Mr. Hanby:

H. 534. Relating to securities; prohibiting fraudulent practices in relation thereto; requiring the registration of securities dealers and salesmen and making unlawful the activities of unregistered securities dealers and salesmen; establishing the conditions precedent and concurrent to such registration; prohibiting the offer or sale of any unregistered security; requiring the registration of securities; and establishing the conditions precedent and concurrent to such registration; establishing the fees in connection with the registration of se-

curities, securities dealers, and securities salesmen; setting out the grounds upon which a registration of securities may be denied, suspended, or revoked; defining certain terms as used in this Act; exempting certain securities from registration under the provisions of this Act; exempting certain transactions from certain provisions of this Act; requiring the filing of a consent to service of process by securities dealers and salesmen and certain issuers; making it unlawful to file any false document or material and providing the punishment therefor; giving to the Securities Commissioner authority to investigate and subpoena witnesses and records in connection with investigations; granting authority for an examination fee and deposit to defray the expense of any investigation of an applicant under this Act; giving to the Securities Commissioner authority to enjoin acts in violation of this Act; creating criminal penalties for violations of this Act; establishing civil liabilities for the violation of the provisions of this Act; providing for judicial review of the orders of the Securities Commissioner; providing for the administration of this Act by the Securities Commissioner; directing said Commissioner to appoint an Assistant Commissioner and giving said Commissioner authority to appoint other personnel to carry out the purpose and intent of this Act; providing that any exemption under this Act must be proved by the person claiming said exemption; making the provisions of this Act severable; repealing the present Alabama Securities Law and related legislation; giving to the Commissioner authority to issue warning to the public with respect to securities; making the sale of securities by an insolvent issuer unlawful; providing that all filing and registration fees shall be paid into the General Fund of this state and establishing the effective date of this Act.

Also:

By Messrs. Camp and Nichols:

H. 651. To make additional appropriations to the Alabama Institute for Deaf and Blind for each of the fiscal years ending September 30, 1960, and September 30, 1961.

Also:

By Messrs. Gilmer, Hain, and Hardy:

H. 703. To make an appropriation to the Cahaba Historical Commission.

Also:

By Messrs. Smith (Russell) and Adams (Tallapoosa):

H. 797. To revise Article 1 of Chapter 1 of Title 23 of the Code of Alabama of 1940 as amended, in relation to Highways, Roads, Bridges and Ferrys by amending Section 23 and Section 35.

Also:

By Messrs. Ashworth, Adams (Tallapoosa), Smith (Russell), and Cornett:

H. 744. Providing for the relocation of utility facilities when necessitated by Federal-aid highway system projects; providing for the payment of the costs of such relocations by the State as highway construction costs upon Federal participation and Federal funds being actually collected by the State; prescribing the authority of the State Highway Director in regard thereto; providing for the method of paying or reimbursing said utitlities; and repealing all conflicting laws.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 534 — To the Committee on Judiciary

H. B.'s 533, 651, 703, 797 and 744 — to the Committee on Finance and Taxation

MOTION TO ADJOURN LOST

At 12:33 P. M., Mr. Gaither moved that the Senate adjourn until Tuesday, October 6, 1959, at 11 o'clock A. M., which motion was lost.

Yeas 12; Nays 14.

Yeas:

Messrs.:	Gaither	Haltom	Roberts	
Barnett	Givhan	Kendall	Samford	
Berryman	Graham	Moses	Shelton	
Cooper				—12

Nays:

Messrs.:	deGraffenried	Green	Rutledge	
Archer	Dumas	Hines	Webb	
Caffey	Eddins	Jones	Wilson	
Crawford	Farmer	Porter		—14

BILLS ON THIRD READING RESUMED

The Bill:

S. 315. To provide in addition to all other revenues heretofore appropriated to the Division of State Parks, Monuments and Historical Sites the sum of $50,000.00 for each of the fiscal years 1959-60 and 1960-61 from the revenues derived from the sale of sand and gravel and timber and timber products.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Roberts	
Barnett	Eddins	Hines	Rutledge	
Berryman	Farmer	Jones	Samford	
Caffey	Gaither	Kendall	Shelton	
Cooper	Givhan	Moses	Webb	
Crawford	Green	Porter	Wilson	
deGraffenried				—24

Nays: —0

The Bill:

H. 236. Relating to estrays; providing for the seizure, holding and sale of animals found running at large; to prescribe a method for re-

turning estrayed animals to the owner thereof and a method for the sale of such animals when the owner is unknown; to prescribe a penalty for filing false and fraudulent claims under this Act; and to repeal Act No. 989 of the Legislature of 1951, approved September 12, 1951, and other laws in conflict with this Act.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts
Andrews	Dumas	Haltom	Robison
Archer	Eddins	Hines	Rutledge
Barnett	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Givhan	Moses	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham		—29

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Farmer, further consideration of the Bill, S. B. 191, was indefinitely postponed by the Senate.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twenty-fourth Legislative Day was approved by the Senate.

ADJOURNMENT

At 12:54 P. M., on motion of Mr. Graham, the Senate adjourned until Tuesday, October 6, 1959, at 11 o'clock A. M.

Yeas 20; Nays 9.

Yeas:

Messrs.:	Berryman	deGraffenried	Graham
Andrews	Cooper	Farmer	Green
Barnett	Crawford	Golson	Haltom

Jones	Porter	Samford	Webb	
Kendall	Roberts	Shelton	Wilson	
Moses				—20

Nays:

Messrs.:	Dumas	Givhan	Robison	
Archer	Eddins	Hines	Rutledge	
Caffey	Gaither			—9

TWENTY-FIFTH LEGISLATIVE DAY

TUESDAY, OCTOBER 6, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend G. Nelson Duke, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Golson	Robison	
Andrews	Eddins	Hines	Samford	
Berryman	Farmer	Jones	Shelton	
Caffey	Gaither	Leonard	Webb	
Cooper	Givhan	Moses	Wilson	
Crawford	Godfrey	Porter	Wyatt	
deGraffenried				—24

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leave of absence was granted Messrs. Clark, Barnett, Haltom, Turner and Rutledge for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Godfrey:

S. 409. To provide for returning to the court of county commissioners, board of revenue, or other like governing body of Cherokee County, jurisdiction, supervision, and control over the establishment, construction, reconstruction, maintenance, and repair of county roads and bridges; repealing Act No. 261, H. 808, approved August 23, 1955, providing for the construction, maintenance, and repair of the roads and bridges of Cherokee County by the state highway department (Acts 1955, Vol. I, pp. 606-609).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHEROKEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for returning to the court of county commissioners, board of revenue, or other like governing body of Cherokee County, jurisdiction, supervision, and control over the establishment, construction, reconstruction, maintenance, and repair of county roads and bridges; repealing Act No. 261, H. 808, approved August 23, 1955, providing for the construction, maintenance, and repair of the roads and bridges of Cherokee County by the State highway department (Acts 1955, Vol. 1, pp. 606-609).

Be It Enacted by the Legislature of Alabama:

Section 1. After this Act takes effect, the court of county commissioners, board of revenue, or other like governing body of Cherokee County shall have and exercise jurisdiction, supervision, and control over the establishment, construction, reconstruction, maintenance, and repair of county roads and bridges to the same extent as courts of county commissioners have and exercise under the general laws of the state.

Section 2. Within thirty days after this Act takes effect the director of the state highway department shall transfer, or cause to be transferred to Cherokee County all of the property of the county (including money) turned over to the state highway department when Act No. 261, H. 808, approved August 23, 1955, became effective, or property of like kind and equal value, or in lieu thereof, pay the county the value of such property in cash. The highway director shall also pay over to the custodian of county road and bridge funds all money held by the department for the use of Cherokee County when this Act takes effect. Provided, that the director may retain so much thereof as may be necessary to pay obligations previously incurred for the benefit of Cherokee County.

Section 3. Act No. 261, H. 808 approved August 23, 1955, entitled, "An act relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws" (Acts 1955 Regular Session, Vol. I, pp. 606-609), is hereby repealed. Provided, that such repeal shall not affect, impair, or abridge the obligations and commitments of the state highway department, or the director thereof, with respect to the construction, re-

construction, and maintenance of roads and bridges in the water area of Cherokee County pursuant to contracts or agreements made or entered into with the Alabama Power Company or its officers or agents before the date of this enactment; provided further, the state highway department, or the director thereof, is authorized and directed to carry out such contracts or agreements and spend the money provided for such purposes in Cherokee County after this Act takes effect.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5: The substantial provisions of this Act shall not become operative unless the Act is approved by a majority of the qualified electors of Cherokee County who vote thereon at a referendum election to be held for that purpose. The election shall be held on the same date as the next countywide election held in the county after the date of this enactment, and shall be held and conducted as nearly as may be in the manner provided by law for holding elections on proposed constitutional amendments. The court of county commissioners, board of revenue, or other like governing body of Cherokee County shall give notice of the election by publication in a newspaper published in the county once a week for four successive weeks next preceding the date set for holding the election. And the court of county commissioners, board of revenue, or other like governing body of the county shall provide for holding the election, which shall be held by the same officers appointed to hold the other election held on the same date. If a majority of the electors voting at the election vote in favor of the county being made responsible for maintaining county roads and bridges, this Act shall become operative on the first day of the month next following the month during which the election was held; if, however, a majority of the electors voting at the election vote against this proposition, this Act shall have no further effect. The ballots to be used at the election shall have printed thereon the following:

"I favor the state highway department being responsible for maintaining county roads and bridges. ()

"I favor the county being made responsible for maintaining county roads and bridges. ()

"Instructions to voters Make a crossmark after the statement expressing your choice."

The result of the election shall be certified to the secretary of state of the state of Alabama by the judge of probate of Cherokee County within ten days after the canvass of the votes and ascertainment of the results of the election, and the results shall likewise be certified by the judge of probate to the state highway director.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a

week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 9-9-59, 9-16-59, 9-23-59, and 9-30-59, all in the year 1959.

JOE SHAW, JR.

Sworn to and subscribed before me October 5, 1959.

FAYRENE D. CHAMBLESS,
Notary Public.

By Mr. Givhan:

S. 410. To amend Section 15 of Title 17, Code of Alabama (1940), which disqualifies certain persons from registering or voting, by disqualifying illegitimate persons, the mothers and fathers of illegitimate persons, and persons practicing concubinage.

Committee on Privileges and Elections.

By Mr. Moses:

S. 411. To regulate the lending of money in sums not in excess of $500, repayable in installments; to regulate the lending of money in excess of $500, repayable in installments; to provide the rate of interest and other charges therefor; to regulate such transactions, and to prescribe penalties for violation thereof; to define the phrase "Installment Loan" for the purposes of this Act; to provide for a short title therefor so that the same may be cited as the "Installment Loan Act"; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this Act shall take effect, and to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Committee on Banking.

By Mr. Farmer:

S. 412. To provide for the education or training of deputies sheriff or the sheriff in Houston County, Alabama at the Alabama Police Academy or to similar schools of training and for payment of expenses incident thereto.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

TO PROVIDE FOR THE EDUCATION OR TRAINING OF DEPUTIES SHERIFF OR THE SHERIFF IN HOUSTON COUNTY, ALABAMA AT THE ALABAMA POLICE ACADEMY OR TO SIMILAR SCHOOLS OF TRAINING AND FOR PAYMENT OF EXPENSES INCIDENT THERETO.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Houston County, Alabama is hereby authorized to designate deputies sheriff or himself to attend the Alabama Police Academy or any similar training school. The salary of said deputies sheriff or Sheriff shall continue while they are in attendance at said training courses and the actual, reasonable and necessary

expenses for their attendance at said training courses may be paid by the County out of the general fund upon resolution of the County Commission or other similar governing body of the County.

Section 2. That all laws or parts of law in conflict herewith are hereby repealed.

Section 3. This act shall become effective upon its approval by the Governor or its otherwise becoming law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 weeks, on the following dates: June 25, July 2, 9, Oct. 1, 1959 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 1st day of Oct., 1959.

B. WALLACE MILLER,
Notary Public.

By Mr. Cooper:
S. 413. To provide for the licensing and regulation of collection agencies in the State of Alabama, and prescribing penalties.

Committee on Judiciary.

By Messrs. Cooper and Hines:
S. 414. Relating to schools; to provide for a state tenure commission to determine appeal cases under the teacher tenure law, to provide for the appointment of members and their compensation, and to define the jurisdiction of the commission.

Committee on Education.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively and finds same correctly enrolled, to-wit:

S. 269. Providing further for the compensation and allowances of members of the court of county commissioners or other like governing body of St. Clair County.

Also:

S. 342. Proposing an amendment to the Constitution of Alabama providing for a special tax in Winston County for school purposes.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 236. Relating to estrays; providing for the seizure, holding and sale of animals found running at large; to prescribe a method for returning estrayed animals to the owner thereof and a method for the sale of such animals when the owner is unknown; to prescribe a penalty for filing false and fraudulent claims under this Act; and to repeal Act No. 989 of the Legislature of 1951, approved September 12, 1951, and other laws in conflict with this Act.

Also:

H. 591. To permit the use of facsimile signatures on bonds, warrants, notes, and certificates issued by any county, municipality, board of education, or public corporation in this state, the use of facsimile signatures thereon in any instance where authentication, certification of validation or registration, or other certification is required or permitted to be recorded thereon, and the reproduction in facsimile of any seal required or permitted to be affixed or impressed thereon.

Also:

H. 592. To Amend Section 107 of Title 12 of the Code of Alabama of 1940 so as to provide for the execution of bonds of counties by any two or more officers designated for that purpose by the governing body of the county, and so as to permit the use of facsimile signatures and seals in the execution of such bonds.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ashworth:
H. J. R. 70. BE IT RESOLVED BY THE HOUSE, the SENATE concurring that the two Houses meet in Joint Session in the House Chamber at 11:30 a.m. for the purpose of hearing an address by the Honorable Hugh Morrow of Birmingham, Alabama.

BE IT FURTHER RESOLVED, that a Committee of three members of the House, to be appointed by the Speaker of the House and two Members of the Senate, to be appointed by the President of the Senate, be appointed to wait upon the Governor and escort him and our guest speaker to the House Chamber.

And the Speaker named as the Committee on the part of the House Messrs. Thomas, Edwards and Morrow.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 70, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Dumas and Berryman.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 531. To amend Section 1 of the act of August 19, 1957, changing the method of compensating certain officers of Cullman County (Act No. 297, H. 554, Acts 1957, Vol. I, p. 379).

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MOTION TO RECESS

Mr. Cooper moved that upon completion of the Joint Session, the Senate take a recess until 2 o'clock this afternoon.

JOINT SESSION

The hour of 11:30 A. M. having arrived, in accordance with Joint Resolution heretofore adopted, the Senate repaired to the Hall of the House of Representatives to hear the message of Honorable Hugh Morrow.

The Joint Session was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate. A quorum of the Legislature was present. Thereupon, Honorable Hugh Morrow was escorted to the chair and delivered his address to the Legislature of Alabama.

The purpose of the Joint Session having been accomplished, in accordance with motion heretofore adopted, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION

TWENTY-FIFTH LEGISLATIVE DAY

TUESDAY, OCTOBER 6, 1959

The Senate reassembled at 2 o'clock P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	deGraffenried	Golson	Robison	
Andrews	Dumas	Graham	Samford	
Archer	Eddins	Green	Shelton	
Berryman	Farmer	Jones	Webb	
Caffey	Gaither	Kendall	Wilson	
Cooper	Givhan	Moses	Wyatt	
Crawford	Godfrey	Porter		—26

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. deGraffenried:
S. 415. To amend Title 41, Section 152, Code of Alabama 1940, as amended which relates to salaries of employees.

Committee on Finance and Taxation.

By Mr. deGraffenried:
S. 416. To amend Title 41, Section 152, Code of Alabama 1940, as amended which relates to salaries of employees.

Committee on Finance and Taxation.

By Mr. Moses:
S. 417. To provide that all paid firemen in cities or towns with a population of fifteen thousand or more shall not be required to work in excess of 56 hours for any average week throughout the calendar

year; and to provide for payment of double compensation for time worked in excess of 56 hours per average week.

Committee on Municipalities and
Municipal Organizations.

By Mr. Caffey:

S. 418. To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts, 1949, Page 536, entitled: "To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama during the present Regular Session and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts 1949, page 536, entitled:

"To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue and Road Commissioners of the County of Mobile commencing on October 1, 1960 and until September 30, 1962 shall pay annually out of the general fund of such county to the board, commission or other governing body duly constituted by public law, of each public library situated in any incorporated town or city, sums at least equal to Fifteen Cents ($.15) per capita of the population of Mobile County, in such manner as to pay to each public library situated in any incorporated town or city other than the county seat, Fifteen Cents ($.15) per capita of the population of each such incorporated town or city and to the board, commission or other governing body duly constituted by public law of each public library situated in the county seat of such county, Fifteen Cents ($.15) per capita of the population of such incorporated town or county seat together with Fifteen Cents ($.15) per capita of the population of other parts of the county other than incorporated towns maintaining public libraries.

That commencing October 1, 1962 and thereafter said sum of Fifteen Cents ($.15) shall be increased to Sixteen Cents ($.16).

MOBILE PUBLIC LIBRARY.
Reg. Aug. 1, 8, 15, 22.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The The Mobile Register 9/1. 8. 15. 22 1959.

A. A. JOHNSON.

Sworn to and subscribed before me This 22nd day of September 1959.

GREG L. KENNY,
Notary Public.

By Mr. Dumas:

S. 419. To create, establish, or designate in any county in this State having a population of more than 500,000 inhabitants, according to the last or any subsequent Federal decennial census, a Domestic Relations Division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with certain officers, and prescribing their duties, authority and compensation; regulating its procedure; creating one additional circuit judgeship and providing for the election of the incumbent thereof in any such county; abolishing the office of the Judge of the Juvenile or Juvenile and Domestic Relations Court in any such counties; and providing that one of the Judges of the Domestic Relations Division of the Circuit Court shall be ex officio Judge of the Juvenile or Juvenile and Domestic Relations Court as it is now or may hereafter be constituted in any such county.

Committee on Finance and Taxation.

By Mr. Dumas:

S. 420. To amend Section 402, Title 14, 1940 Code of Alabama relating to the resisting of an officer in the execution of process.

Committee on Judiciary.

By Mr. Dumas:

S. 421. To amend Subsection (1) of Section 5, Title 54, 1940 Code of Alabama relating to the duties of the Sheriff.

Committee on Judiciary.

By Mr. Dumas:

S. 422. To amend Section 2, Title 13, 1940 Code of Alabama relating to the powers of courts to inflict summary punishment.

Committee on Judiciary.

By Mr. Dumas:

S. 423. To amend Section 33, Title 54, 1940 Code of Alabama relating to the duties of a Constable.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the

following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Nichols (with notice and proof):

H. 625. To amend an act approved August 16, 1957 entitled "An Act to alter, re-arrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 286, H. 828, Acts 1957 Reg. Sess., p. 365) so as to exclude certain territory annexed to the city by said act.

By Mr. Nichols (with notice and proof):

H. 626. To amend an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 288, H. 830, Acts 1957 Reg. Sess., p. 367) so as to exclude certain territory annexed to the city by said act.

By Mr. McCorquodale:

H. 696. To provide that clerks of county courts in all counties having a population of not less than 26,000, nor more than 26,600, according to the most recent federal decennial census, may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

By Mr. Cook (with notice and proof):

H. 698. Relating to and providing for the reidentification of electors in Coffee County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

By Mr. Oden:

H. 706. Proposing an amendment to the Constitution of Alabama relating to the industrial development of Franklin County and the municipalities therein.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Hocklander (with notice and proof):

H. 791. To fix the compensation of the clerk of the Inferior Civil Court of Mobile County.

By Mr. Andrews (with notice and proof):

S. 389. To regulate the duties and compensation of certain deputy sheriffs for Bullock County.

By Mr. Leonard (with notice and proof):

S. 398. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide an annual allowance to the sheriff of Talledega County for the purchase of equipment and for the purchase of uniforms for the personnel of the sheriff's department.

By Mr. Samford (with notice and proof):

S. 399. To extend, alter and rearrange the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to

the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hanby et al:
H. 239. To amend Section 413 of Title 37 of the 1940 Code of Alabama, as amended.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Grouby:
H. 693. To amend further Section 5 of Act No. 222, H. 317, approved February 27, 1879 (Acts of Alabama, 1878, p. 248), entitled "An Act To establish a board of revenue for Autauga county, and to define the powers and duties of said board of revenue," by providing further for the compensation of the chairman and members of the board of revenue.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 5 of Act No. 222, H. 317, approved February 27, 1879 (Acts of Alabama, 1878, P. 248), entitled "An Act To establish a board of revenue for Autauga county, and to define the powers and duties of said board of revenue," by providing further for the compensation of the chairman and members of the board of revenue.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 222, H. 317, approved February 17, 1879 (Acts of Alabama, 1878, P. 248), as amended, entitled "An Act To establish a board of revenue for Autauga county, and to define the powers and duties of said board of revenue," is amended further to read as follows:

"Section 5. The chairman and members of the board of revenue of Autauga County shall each receive five dollars ($5.00) for each day's actual attendance at meetings of the board. For the performance of their official duties in connection with the construction, repair, and maintenance of the roads and bridges of the county, the chairman and members of the board of revenue shall each receive not less than one hundred dollars ($100.00) nor more than two hundred dollars ($(200.00) per month when actually engaged in the performance of such duties, the exact amount of such compensation to be fixed by the board by resolution duly adopted and spread upon the minutes."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 6a4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 6, August 13, August 20, and August 27, all in the year 1959.

MRS. H. M. DOSTER.

Sworn to and subscribed before me September 11, 1959.

LESSIE M. KREIS,
Notary Public.

Also:

By Messrs. Pierce, Goodwyn and Bailey:

H. 721. To amend further Section 30½ of the act approved September 20, 1957, regulating the practice of cosmetology (Act No. 653, H. 489, Acts 1957, Vol. II, p. 981).

Also:

By Messrs. Goodwyn, Goldthwaite, Bailey and Pierce:

H. 828. To encourage and promote medical and scientific research and the establishment of medical research facilities, and the development of scientific research devices, by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees, charges, and limitations, in all counties having a population of not less than 125,000 nor more than 225,000, according to the most recent federal decennial census.

Also:

By Mr. Ramey:

H. 837. To levy additional county privilege license and excise taxes for public school purposes in Hale County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 86, H. 388, approved June 21, 1957 (Acts 1957, vol. I, pp. 127-130).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF HALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To levy additional county privilege license and excise taxes for public school purposes in Hale County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 86, H. 388, approved June 21, 1957 (Acts 1957, vol. I, pp. 127-130).

Be It Enacted by the Legislature of Alabama:

Section 1. All words, terms, and phrases that are defined in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, which levies a state sales tax, and in Article 11, Chapter 20, Code of Alabama 1940, as amended, shall, where used in this Act, have the meanings respectively ascribed to them in said Act No. 100 of August 18, 1959, and Article 11, of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words, terms, and phrases where used in this Act shall have the following respective meanings except where the context clearly indicates a different meaning.

"State sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, enacted at the Special Session of the Legislature of Alabama that convened June 24, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100, heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said act and the incidence and collection of the tax imposed therein;

"State sales tax" means the tax imposed by the state sales tax statutes;

"State use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply, to or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein;

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each Calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. Effective on the first day of the month succeeding the month during which this Act becomes a law, there is hereby levied in Hale County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

1. Upon every person, firm, or corporation engaged or continuing within Hale County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within Hale County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Hale County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within Hale County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily so used, an amount equal to one-half of one percent of the gross proceeds of the sale of such machines, attachments, parts and replacements therefor.

4. Upon every person, firm, or corporation engaged or continuing within Hale County in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer. Provided, that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment of the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

There are exempted, however, from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the state sales tax statutes from the computation of the amount of the state sales tax.

Section 3. An excise tax is hereby imposed on—

(a) The storage, use, or other consumption in Hale County of tangible personal property purchased at retail, on or after the first day of the month next succeeding the month during which this Act shall become a law, for storage, use or other consumption in Hale County, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Hale County or in this state, except as provided in subsections (b) and (c) of this section; and

(b) The storage, use, or other consumption in Hale County of any new or used automotive vehicle, truck trailer or semi-trailer purchased at retail on or after the first day of the month next succeeding the month during which this Act becomes a law, for storage, use, or other consumption in Hale County, at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid in the net difference, that is, the difference of the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

(c) The storage, use, or other consumption in Hale County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail on or after the first day of the month next succeeding the month during which this Act becomes a law, for storage, use, or other consumption in Hale County, at the rate of one-half of one percent of the sales price of such machine or the parts, attachments, or replacements therefor.

There are exempted, however, from the provisions of this section and the tax imposed in this section the storage, use, or other consumption of property the storage, use, or other consumption of which is presently exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Hale County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given pursuant to Section 5 of this Act to the purchaser

of any property to be used, stored, or consumed in Hale County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 4. The taxes levied in Section 2 of this Act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the taxes levied in Section 3 of this Act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personable property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes herein levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are provided in Section 2 hereof to be used as a measurement of the tax levied in said Section 2, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 3 hereof, the total sales price of all property the use, storage, or other consumption of which became subject to the tax imposed by said Section 3 during the then preceding quarterly period; provided, however, that said report shall include also such other items of information pertinent to the said taxes in the amount thereof as the state department of revenue may require. Any person subject to the taxes levied in Section 2 hereof may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the board of education of Hale County, or its designated agent, at reasonable times during business hours.

Section 5. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Hale County (which storage, use, or other consumption is not herein exempted from the tax imposed in Section 3 hereof) shall at the time of making such sale, or, if the storage, use, or other consumption of such tangible personal property in Hale County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax imposed by Section 2 of this Act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed by Section 3 of this Act during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their

collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall omit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Hale County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed by Section 3 of this Act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4.

Section 6. Each person engaging or continuing within Hale County in a business subject to the taxes levied in Section 2 of this Act shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes levied in said Section 2; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 5 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2 to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 3 of this Act or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 7. The taxes imposed by this Act shall constitute a debt due Hale County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All of the provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due this state shall apply fully to the collection of the taxes herein levied, and the state department of revenue, for the use and benefit of Hale County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this a lien upon the property of any collection of the state sales tax and the state use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving this Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Hale County.

Section 8. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of monthly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to

pay tax, make reports or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 2 hereof, shall apply to the tax levied in the said Section 2; and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 3 hereof, shall apply to the tax levied in the said Section 3. The state commissioner of revenue and the state department of revenue shall have and exercise all of the same powers, duties and obligations with respect to the taxes levied in Sections 2 and 3 hereof that are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable in this Act to the taxes herein levied and to the administration of this Act are hereby incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 9. The state department of revenue shall charge Hale County for collecting said special taxes herein levied a percentage of said taxes to be computed on the basis that the total cost of collecting the state sales tax and use taxes bears to the total of said state taxes collected for each fiscal year. Such charge may be deducted once each month from the special sales and use taxes collected before certifying the amount of special taxes due Hale County. The commissioner of revenue shall pay into the state treasury all taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Hale County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Hale County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Hale County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of Hale County. The custodian of public school funds for Hale County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county, and shall maintain separate records of such special account.

Section 10. All revenue arising from the taxes herein levied shall be used exclusively and solely for acquiring, providing or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, or replacing any such building and acquiring sites therefor; or other capital outlay purposes for public schools within Hale County, Alabama.

Section 11. This Act supersedes Act No. 86, H. 388, approved June 21, 1957, as amended (Acts 1957, vol. 1, pp. 127-130); provided, that rights and duties that matured, penalties that were incurred, and proceedings that were begun under said Act No. 86 before the effective date of this Act shall not be affected by this Act.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. This Act shall become effective on the first day of the month succeeding the month during which the Act shall be approved by the Governor or shall otherwise become a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared N. H. Cobbs, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 3, September 10, September 17, and September 24, all in the year 1959.

N. H. COBBS.

Sworn to and subscribed before me September 24, 1959.

WILLIE L. ARRINGTON,
Notary Public.

Also:

By Messrs: Brewer and Gilchrist:

H. 735. Relating to counties having a population of not less than 50,000 nor more than 60,000 inhabitants, according to the last or any subsequent federal decennial census who elect to come under the provisions of this Act as hereinafter provided; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualifications, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary of the efficient operation

and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

Also:

By Mr. Avery:

H. 838. To amend Section 2 of an act approved June 3, 1953, establishing a board of revenue for Hale County (Act No. 61, H. 209, Acts of Alabama 1953, Vol. I, p. 89) so as to provide for the election of members of the board of revenue by districts.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF HALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of an act approved June 3, 1953, establishing a board of revenue for Hale County (Act No. 61, H. 209, Acts of Alabama 1953, Vol. I, p. 89) so as to provide for the election of members of the board of revenue by districts.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of an act approved June 3, 1953, establishing a board of revenue for Hale County (Act No. 61, H. 209, Acts of Alabama 1953, Vol. I, p. 89) is hereby amended to read as follows:

"Section 2. That for the purpose of this Act and the enforcement thereof the said County of Hale shall be divided into Four subdivisions, to be known as Districts, and numbered respectively, from one to four, both inclusive. District No. 1 shall embrace and be composed of beats or precincts numbered 1, 2, 12 and 16 as now constituted or as the same may be hereafter changed in boundaries according to law. District No. 2 shall embrace and be composed of beats or precincts numbered 6, 7, 8 and 9 as now constituted or as the same may be hereafter changed in boundaries according to law. District No. 3 shall embrace and be composed of beats or precincts numbered 4 and 5 as now constituted or as the same may be hereafter changed in boundaries according to law. District No. 4 shall embrace and be composed of beats or precincts numbered 3, 10, 11, 13, 14 and 18 as now con stituted or as the same may be hereafter changed in boundaries according to law. The incumbent members of the board shall continue in office until the expiration of the term for which they were elected. Succeeding members of the board from Districts No. 1 and No. 4 shall hold office for four years from the first Monday after the second Tues-

day in January, 1963, and until their successors are elected and qualified such election to be at the regular November election in 1962, and every four years thereafter. The succeeding members of said board from Districts No. 2 and No. 3 shall hold office for four years from the first Monday after the second Tuesday in January, 1961, and until their successors are elected and qualified, such election to be held at the regular November election in 1960, and every four years thereafter. Each member of the board from a district in the county shall be elected by the qualified electors of the district, it being intended that two members of the board from districts in the county shall be elected every two years, commencing with the regular November election of 1960, each to be elected for a term of four years from the first Monday after the second Tuesday in January next after his election, and that each such member of the board shall be elected by the qualified electors of his district. The members of the board from each of the several districts of the county shall be at the time of their appointment or election of the age of twenty-five years or over, and, in addition, each shall be a qualified elector of and reside in the district for which he is elected, both at the time of his election and during his continuance in office."

Section 2. The provisions of this Act shall become effective only if approved by a majority of the qualified electors of Hale County who vote in a referendum election to be held thereon, such election to be held on the same date as the first countywide election held after the passage of this Act. The board of revenue of Hale County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the referendum the question shall be stated substantially as follows: Shall the provisions of Act No. . . enacted at the 1959 regular session of the Legislature, which change the method of electing members of the board of revenue of Hale County, be adopted? Yes () No ()." If a majority of the votes cast at the referendum are "Yes" all the provisions of this Act shall become effective immediately. If the majority vote "No" this Act shall have no further force or effect. The judge of probate of Hale County shall certify the results of the referendum to the secretary of state within thirty days after the returns of the election have been canvassed.

STATE OF ALABAMA
HALE COUNTY

I hereby certify that the foregoing legal notice appeared in The Greensboro Watchman, a weekly newspaper published in Greensboro-Hale County, Alabama, for four consecutive weeks, to-wit; Thursday, August 27, 1959; Thursday, September 3, 1959; Thursday, September 10, 1959; and Thursday, September 17, 1959.

N. H. COBB,
editor and owner.

STATE OF ALABAMA
HALE COUNTY

Sworn to and subscribed before me, Willie L. Arrington, Notary Public in and for said state and county, this the 29th day of September, 1959.

WILLIE L. ARRINGTON,
Notary Public

Also:

By Mr. Jenkins:

H. 851. To provide for the relief of W. E. Sikes, of Roanoke, by Randolph County.

With notice and proof thereto attached and herewith exhibited as as follows:

NOTICE

STATE OF ALABAMA,
COUNTY OF RANDOLPH

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Randolph County may appropriate from any funds of the county not otherwise appropriated the sum of one thousand sixty dollars ($1,060) for the relief of W. E. Sikes, of Roanoke, Randolph County. Such sum shall be provided to said W. E. Sikes as compensation for property damages and for personal injuries sustained as a result of a collision of a motor vehicle operated by the said W. E. Sikes and a county truck operated by Dewey Crews on or about July 31, 1959. The Legislature finds and declares that the claim of the said W. E. Sikes is a normal and just claim against the county but the claimant has not recourse at law to recover his damages, hence this enactment.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RANDOLPH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. T. Bailey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Randolph Press, a newspaper of general circulation published in Randolph County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 27, Sept 3, Sept. 10, and Sept. 17, all in the year 1959.

R. T. BAILEY

Sworn to and subscribed before me September 23, 1959.

STELL BENEFIELD
Judge of Probate

Also:

By Messrs. Callahan and Ferguson:

H. 854. To create in the City of Tuscaloosa, Alabama, a fund to be known as Firemen's and Policemen's Pension and Relief Fund for

the benefit and relief of disabled, sick, retired and other members of such fire and police departments and the widows, certain of the minor children and dependent widowed mothers of certain deceased members of the fire and police departments, and to provide for the use, management, control, and administration of such funds; to provide for the raising of such funds and the sources thereof; to provide for the payment into such fund of a proportion of the monthly salary of such members of the fire department and police department of such city as are eligible to participate in the benefits of such fund; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies including mutual and industrial fire insurance companies, doing business within such city, and for making a sworn report by such fire insurance companies of such premiums to the Board of Trustees of such fund, and to prescribe the penalty for failure to make such payments and report, and for enforcing such penalty; to provide for sworn statements to be made to the city clerk by all persons, firms, or corporations which conduct a fire insurance or brokerage business within such city, and to prescribe the penalty for failure to make and file such statements and for enforcing such penalty; to provide for the payment into such fund certain witness fees and certain rewards and gratuities received by firemen and policemen; to provide for the payment into such fund of all liquor seizure fees and all amounts received by the City from the Alcohol Beverage Control Board for confiscated liquors; to authorize the Board of Trustees to accept money and property for said funds; to authorize the governing body of such city to make appropriations to such fund out of the city treasury; to create in such city a Board of Trustees of such Firemen's and Policemen's Pension and Relief Fund; to provide for the transfer of all monies, securities, property, assets, and things of value in any Firemen's and Policemen's Fund in the City heretofore created to the jurisdiction and control of the Board of Trustees created under this Act; to provide for the organization of such Board of Trustees and to designate certain members of said Board and provide the time and method of electing the remaining members thereof and their term of office; to designate and provide for the selection of officers and agents of said Board; to declare the the said Board of Trustees the trustees of such fund; to prescribe the powers, authority and duties of such Board of Trustees, its officers and agents; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department and police department and the widows, certain minor children, and dependent widowed mothers of certain deceased members thereof; to provide for the retirement and reinstatement of members of such fire and police departments; to prescribe the duties of the city attorney and city physician in connection with said Board of Trustees and said funds; to provide for medical examination and diagnosis of the physical and mental condition of such members of fire and police departments; to provide that no person shall have any vested or contractual rights in said fund, but that such fund shall be held subject to the power of the Legislature; to designate the treasurer of such fund and his duties; to provide that said fund and all benefits received therefrom shall be exempt from levy, execution, garnishment, attachment or seizure of any kind.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE OF PROPOSED LEGISLATION

Notice is hereby give that at the present Regular Session of the Lesislature of Alabama a bill substantially as follows will be introduced, and application for its passage will be made:

A BILL
TO BE ENTITLED
AN ACT

To create in the City of Tuscaloosa, Alabama, a fund to be known as Firemen' and Policemen's Pension and Relief Fund for the benefit and relief of disabled, sick, retired and other members of such fire and police departments and the widows, certain of the minor children and dependent widowed mothers of certain deceased members of the fire and police departments, and to provide for the use, management, control, and administration of such funds; to provide for the raising of such funds and the sources thereof; to provide for the payment into such fund of a proportion of the monthly salary of such members of the fire department and police department of such city as are eligible to participate in the benefits of such fund; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies including mutual and industrial fire insurance companies, doing business within such city and for making a sworn report by such fire insurance companies of such premiums to the Board of Trustees of such funds, and to prescribe the penalty for failure to make such payments and report, and for enforcing such penalty; to provide for sworn statements to be made to the city clerk by all persons, firms, or corporations which conduct a fire insurance agency or brokerage business within such city, and to prescribe the penalty for failure to make and file such statements and for enforcing such penalty; to provide for the payment into such fund certain witness fees and certain rewards and gratuities received by firemen and policemen; to provide for the payment into such fund of all liquor seizure fees and all amounts received by the City from the Alcohol Beverage Control Board for confiscated liquors; to authorize the Board of Trustees to accept money and property for said funds; to authorize the governing body of such city to make appropriations to such fund out of the city treasury; to create in such city a Board of Trustees of such Firemen's and Policemen's Pension and Relief Fund; to provide for the transfer of all monies, securities, property, assets, and things of value in any Firemen's and Policemen's Fund in the City heretofore created to the jurisdiction and control of the Board of Trustees created under this Act; to provide for the organization of such Board of Trustees and to designate certain members of said Board and provide the time and method of electing the remaining members thereof and their term of office; to designate and provide for the selection of officers and agents of said Board; to declare the said Board of Trustees the trustees of such fund; to prescribe the powers, authority and duties of such Board of Trustees, its officers and agents; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department and police department, and the widows, certain minor children, and dependent widowed mothers of certain deceased members thereof; to provide for the retirement and reinstatement of members of such fire and police departments; to prescribe the duties of the city attorney and city physician in connection with said Board of Trustees and said funds: to provide for medical examination and diagnosis of the physical and mental condition of such members of fire and police departments; to provide that no person shall have any vested or contractual rights in said fund, but that such fund shall be held subject to the power of the Legislature; to designate the treasurer of such fund and his duties; to provide

that said fund and all benefits received herefrom shall be exempt from levy, execution, garnishment, attachment or seizure of any kind.

Be It Enacted by the Legislature of Alabama:

Section 1. Application.

This Act shall apply to and have application in the City of Tuscaloosa, Alabama.

Section 2. Definitions.

The following words, terms, and phrases wherever used in this Act shall have the meanings respectively ascribed to them in this section unless the context plainly indicates a contrary meaning: "City" or "such City" or "the City" means the City of Tuscaloosa, Alabama. "Firemen" means any regular full time member of the fire department of such city, exclusive of all irregular, extra, special, or part time members of such department. "Policeman" means any regular full time member of the police department of such city, exclusive of all irregular, extra, special, or part time members of such department. The term "Chairman of the Commission Board" and the term "Mayor" have reference to the officer of the City whose duties are those of chief executive of such city. The term "Commissioner of Public Safety" has reference to the commissioner who has charge of the fire and police departments of such city. The term "Board" and the term "Board of Trustees" means the "Board of Trustees of the Firemen's and Policemen's Pension and Relief Fund" created under this Act. The term "Fund", "the fund", "such fund" and similar expressions, has reference to the "Firemen's and Policemen's Pension and Relief Fund" created under the provisions of this Act. Words used in this Act in the past or present tense include the future as well as the past and present, and words used in the singular include the plural, and the plural the singular. Words in the masculine gender include the feminine.

Section 3. Creation of Pension Fund.

There is hereby created and established for the City of Tuscaloosa, Alabama, a Firemen's and Policemen's Pension and Relief Fund for the benefit of the persons hereinafter named, to be derived and raised in the manner hereinafter provided. The name by which such fund shall be known is "Firemen's and Policemen's Pension and Relief Fund".

Section 4. Board of Trustees.

For the management and distribution of such fund, there is hereby created a Board of Trustees to be known as Board of Trustees of the Firemen's and Policemen's Pension and Relief Rund. Such Board of Trustees shall be composed of seven members who shall be the Commissioner, or other elected official of the city, having supervision over the police and fire departments in such city, who shall be Chairman of such Board, the chief of the fire department, the chief of the police department, and two additional members from the fire and two additional members from the police department to be selected as hereinafter provided. Immediately upon the going into effect of this Act the Board of Trustees of the Firemen's and Policemen's Pension and Relief Fund created and elected under and pursuant to Act; No. 187 of the Alabama Legislature of 1951, as amended, shall become the Board of Trustees under this Act and the members thereof shall serve as members of the Board of Trustees under this Act until their successors are elected in accordance with the provisions hereof.

Section 5. Transfer of Assets of Existing Pension Fund.

All assets, funds, contracts, property and records used and employed by the Board of Trustees of the Firemen's and Policemen's Pension and Relief Fund created pursuant to Act No. 187 of the Alabama Legislature of 1951, as amended, are hereby transferred to the jurisdiction and control of the Board of Trustees of the Firemen's and Policemen's Pension and Relief Fund created under the provisions of this Act.

Section 6. Participation in the Fund.

Every fireman and every policeman, as hereinabove defined, shall be eligible to participate and shall participate in such fund. Provided, however, that any policeman or any fireman who is employed as such after the effective date of this Act, and who at the time of such employment has reached or exceeded the age of thirty-five (35) years, shall not be eligible to participate in such fund.

Section 7. Composition of Fund.

Said firemen's and policemen's pension and relief fund shall be derived, obtained, and created as follows: A. From the salary of each fireman and each policeman there shall be deducted, as the same becomes payable, and paid into said fund, an amount equal to five per centum of the amount of such salary. Provided that whenever a member of the fire or police department of such city is ineligible to participate in the benefits of such fund by reason of the provisions of this Act, neither such ineligible member nor his salary or other compensation shall be subject to any assessment for the benefit of such fund. B. Each fire insurance company, including mutual and industrial fire insurance companies, qualified to do business under the laws of Alabama, and doing business in such city, shall annually and on or before the first day of March of each year hereafter, pay into said Firemen's and Policemen's Pension and Relief Fund, a sum equal to one and one-half per centum of the gross premiums, less return premiums, received by such fire insurance company for and on account of business, including all renewals of fire insurance done by it in the city, during the preceding calendar year; and it shall be unlawful for any such fire insurance company or its agent, to take or receive any premium for insurance against fire within the city unless such fire insurance company shall pay, at the time aforesaid, to the said Firemen's and Policemen's Pension and Relief Fund, the amount herein provided to be paid by such fire insurance company; and any such fire insurance company violating any of the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension and Relief Fund the sum of one Thousand Dollars, to be recovered against such fire insurance company so violating said provisions, or its agent, by suit brought in the name of the city for the use of such fund. Each person, firm or corporation, which conducts a fire insurance agency or brokerage business in such city, shall annually, within the first ten days of each year, make and file a sworn statement in writing, with the city clerk of such city, as treasurer of such fund, giving the name and address of each fire insurance company which such person, firm or corporation represented or did business for, as agent or broker, during the preceding year; and any such person, firm or corporation conducting any such fire insurance agency or brokerage business in such city, violating the provisions of this section shall forfeit to the said Firemen's and Policemen's Pension, and Relief Fund the sum of One Hundred Dollars to be recovered against such person, firm or corporation, so violating such provisions, by suit brought in the name of such city

for the use of such fund and all such forfeitures and penalties provided for herein, when collected, shall be and become a part of said Firemen's and Policemen's Pension and Relief Fund. Provided, however, that the said sum equal to one and one-half per centum of gross premiums less return premiums, required by this paragraph of this section to be paid by fire insurance companies into said Firemen's and Policemen's Pension and Relief Fund shall be treated and held to be a part of the maximum of four percent on each one hundred dollars, or major fraction thereof, of gross premiums, less return premiums, which any municipal corporation may by law impose upon any fire insurance company in any one year as a license or privilege tax for the privilege of doing business in such municipality during such year under Section 739 of Title 37 of the Code of Alabama of 1940 as amended or as the same may be amended. C. All firemen and policemen shall promptly pay into such fund all witness fees in criminal cases, and in cases in which they have been summoned by the city, received by them from any court in the county in which such city is situated, and all moneys received by them or any of them as a reward or gratuity for the apprehension of any person, the furnishing of any evidence, the recovery of saving of any property, services at any fire, or otherwise received by them for similar service or for work in the line of his duty. D. There shall be paid into such fund, as and when received, all liquor seizure fees received by any policeman or to which he may be entitled and all amounts received by the city from the State Alcohol Beverage Control Board for confiscated liquors and beverages delivered to it as required by law. E. The Board of Trustees may take by gift, grant, devise or bequest, any money, personal property, real estate or any interest therein or any right of property, and any such gift, grant, devise or bequest may be absolute or in fee simple or upon condition that only rents, income and profits arising therefrom shall be applied to the purposes for which said fund is created. F. The governing body of the city shall cause to be paid into such fund out of the treasury of such city, an amount equal to five percentum of the salary of each member of such fire and police department, who is eligible to participate in the benefits of such fund, such payment to be made to such fund as and when such salary becomes payable, and deduction therefrom is made as provided in this section.

Section 8 . Election of Members of Board.

Two members of said Board of Trustees shall be elected from among their number by the policemen who are entitled to vote in such election and two members of said Board shall be elected from among their number by the firemen who are entitled to vote in such election. Neither the chief of police nor the chief of the fire department shall be entitled to vote in such elections. Such elections shall be held independently of one another on the second Tuesday in January, 1962, and on the second Tuesday in January of every third year thereafter. The said election shall be held at police headquarters for the police department and at fire station number one for the fire department, or some other place duly designated by the governing body of said city, beginning at nine o'clock in the forenoon and continuing until six o'clock in the afternoon. Only firemen and policemen who are eligible to become members of the said Firemen's and Policemen's Pension and Relief Fund or to participate in the benefits thereof as herein provided shall be entitled to vote in such elections, each being entitled to vote for two candidates in the department of which he is a member. Voting shall be by secret ballot. The city clerk shall prepare the ballots which shall be printed, typewritten or memeographed. He shall place on said ballots the names only of those nominated as candidates as herein provided, and the names of such as may request in writing

that their own names be placed thereon. Any three members of the fire department eligible to vote in such election may nominate in writing a candidate from the fire department, and any three members of the police department eligible to vote in such election may nominate in writing a candidate from the police department. Such nominations and such requests from persons entitled to vote in said election that their own names be placed on such ballot shall be filed with the city clerk not earlier than two weeks before the date of such election and not later than five o'clock in the afternoon of Thursday immediately preceding such election. The two candidates receiving the highest number of votes in each election shall hold office as such trustees for a term of three years beginning on the Monday next following such election and until their successors are elected and accepted by notifying the Chairman of the Board of such acceptance. The chief of the police department and one police officer selected by him and the chief of the fire department and one fireman selected by him shall act as election officials in their respective departments and, on the day of and immediately after the casting of such ballots, shall canvass and count the same for their respective departments and certify in writing in duplicate the number of ballots cast and the number of ballots received by each candidate for the office of trustee. After signing such certificates, each chief shall immediately post one copy thereof at the place of election and not later than twelve o'clock noon on the following day deliver one copy thereof together with all the ballots cast by his department, in a securely sealed envelope, to the Chairman of the Board of Trustees who shall on the day following said election in the presence of the chief of such fire department and of the chief of such police department, open said envelopes, examine said certificates and ascertain and determine the total number of ballots cast at said election for each of the candidates as such trustee, and shall issue certificates of election as such trustee to the candidates receiving the highest number of votes as aforesaid. In case any two or more candidates shall have received the same number of votes, so that there would be no choice under the foregoing provision, then the Chairman of the Board of Trustees shall forthwith determine by lot from the persons so receiving such equal number of votes who shall be the trustee. No election shall be set aside for want of formality in balloting by such members, or in certifying or transmitting returns of such election by the officers or persons in charge thereof. Should a vacancy occur in the position of an elective member of the Board of Trustees, such vacancy shall, with reasonable promptness, be filled for the unexpired term by the remaining members of said Board.

Section 9. Board to Manage and Control Fund.

The Board of Trustees shall be the trustee of such fund and shall have the exclusive management and control thereof, and all matters legitimately connected therewith. It shall have power to adopt and enforce such rules and regulations as may be necessary to enable it effectively and properly to carry into execution the purposes for which it was organized, and to enable it to properly manage and conduct the business and affairs entrusted to it, provided such rules and regulations shall in no wise contravene the provisions of this Act, but shall be in conformity thereto. The Board of Trustees shall hear and decide all applications for pension or relief under this Act and its decisions on such applications shall be final and conclusive, and not subject to review or reversal, except by said Board. It shall cause to be kept a record of all its meetings and proceedings. From and after the election of members of the Board of Trustees in January of 1962, five members of said Board shall constitute a quorum for the transaction of any and all business of said Board and the affirmative vote of five

members shall be necessary and sufficient to adopt any resolution; prior to the election of additional trustees in 1962, three members of the Board shall constitute such quorum. Meetings of said Board shall be held in the council chamber in the city hall at such time as it may be called to meet by the Chairman or by any two members. Neither the secretary, treasurer, custodian, nor any member of said Board, shall receive any salary or compensation for his services.

Section 10. Secretary of Board.

The city clerk of such city shall be secretary of the Board of Trustees. It shall be his duty as secretary to keep in a book provided for that purpose a full and complete record of all proceedings of the Board. The secretary shall perform such other duties as may be assigned to him by the Board.

Section 11. Investment of Portion of Fund.

The Board of Trustees, after considerating the probable demands upon the fund may invest such portion of it as may be safely withdrawn for the purpose. Such investment shall be only in interest bearing bonds of the United States of America, or of the State of Alabama, or of any bonds lawfully issued by the City of Tuscaloosa. All income from investments shall be and become a part of the fund. All securities belonging to the fund shall be deposited with the treasurer of the fund, and shall be subject to the management and control of the Board of Trustees.

Section 12. Annual Report.

On or before the first day of February of each year, the Board of Trustees shall make a report to the Commission Board, or other governing authority of the city, and to the fire department and the police department in the city, of the condition of the fund as of December 31st of the preceding year.

Section 13. Depository of Fund.

The Board of Trustees shall appoint a bank or trust company in such city as a depository and the treasurer of such fund shall promptly deposit all money belonging to such fund or coming into his hands as treasurer thereof in such depository. If any of such funds are dissipated or lost by reason of the insolvency or failure of such bank or trust company appointed as such depository as provided herein, such dissipation or loss shall not constitute a liability on the official bond of such city clerk as such treasurer of such fund not a liability against the sureties thereon. All interest received on such deposits shall be and become a part of such fund.

Section 14. Payments from Fund.

No warrant nor check shall be drawn on such fund except by order of the Board of Trustees duly and regularly entered in the record of the proceedings of said Board. The depository of such fund shall not pay out any of such funds except on warrant or check signed by the Chairman of the Board and countersigned by the Secretary thereof.

Section 15. Expenses of Board.

The Board of Trustees shall be authorized to pay out of such fund all reasonable and necessary expenses that may be incurred by it in

and about the performance of its duties under this Act and in and about the management and administration of such fund.

Section 16. List of Retired Policemen and Firemen.

There shall be kept by the secretary of the Board of Trustees a book to be known as the list of retired firemen and policemen, which shall give a full and complete history and record of the action of the said Board of Trustees in retiring any and all persons under this Act, showing the names, date of entering the service of such department, date of retirement, age on retirement, number of years such person has contributed to the fund, and the reason of such retirement, if any. In such book there shall also be kept a complete list with the name, age and address of all children and the name and address of all widows and widowed mothers of policemen and firemen who have been declared by said board to be entitled to benefits under this Act.

Section 17. Treasurer and Custodian of Fund.

The city clerk shall also be treasurer and custodian of all monies belonging to such fund and all monies belonging to such fund shall be promptly paid to him. The city clerk shall also be the custodian of all securities and things of value belonging to such fund. He shall be liable on his official bond as city clerk for the faithful performance of the duties, imposed upon him under this section, and for the faithful accounting for all monies, securities, and things of value which may come into his hands as treasurer of such fund, and he shall keep a separate account thereof which shall at all times show the true condition of such fund. Upon the expiration of the city clerk's term of office, or whenever, from any cause, he ceases to hold office as such city clerk, he shall surrender and deliver up to his successor all bonds, securities, all money and everything else which have come into his hands as treasurer or custodian of such fund. If at any time in the future, some officer other than the city clerk shall be designated by the governing body of the city as the chief fiscal officer, such as comptroller, then such chief fiscal officer shall perform the duties prescribed in this section for the city clerk.

Section 18. Pension Benefits to be Paid on Retirement.

Subect to the general limitations set forth in Section 29 hereof and subject to any reductions in benefits that might be required by the provisions of Section 28 hereof, when any fireman or policeman shall be retired and placed upon the pension roll (except when retired under Section 23 hereof), the monthly pension which he shall initially be paid shall be a sum equal to two and six-tenths (2.6) per centum of the amount of his "pension base" multiplied by the number of entire years he has served in the department of which he was a member. The term "pension base" as used herein, means the monthly salary at the time of retirement. Unless: (a) he has been demoted in the five years immediately preceding his retirement, in which case his "pension base" shall be the average monthly salary for the five year period immediately preceding retirement; (b) his salary at the time of his retirement exceeds one hundred and fifteen per cent (115 per cent) of his average monthly salary for the five (5) years immediately preceding his retirement, in which case his "pension base" shall be one hundred and fifteen per cent (115 per cent) of his average monthly salary for the five year period immediately preceding his retirement.

Section 19. Continued Payments of Existing Pensions.

All pensions and all benefits heretofore directed to be paid by the Board of Trustees of the Firemen's and Policemen's Pension and Relief Fund, created under and pursuant to Act No. 187 of the Alabama Legislature of 1951, as amended, shall be continued and shall be paid from the Fund and by the Board of Trustees of such fund created under this Act. All such pensions and such such benefits directed to be paid by the Board of Trustees under and pursuant to said Act No. 187, as amended, shall not be changed by this Act but shall continue in force and shall continue to be calculated and paid according to the schedule of payments prescribed in said Act No. 187, as amended.

Section 20. Weekly Benefits for Sickness or other Disability; Retirement for Disability.

When any fireman or policeman shall be confined to his bed under the necessary care of a physician, by reason of sickness or other disability not otherwise provided for, for as long a period as fifteen days, the said Board of Trustees shall direct the payment to such fireman or policeman from such fund the sum of Thirty Dollars ($30.00) weekly while so confined, not to exceed in any event twelve weeks; provided, however, that if such policeman or fireman has been in the service of the department of which he is a member for a period of ten years or more and the Board of Trustees shall determine at the end of such twelve weeks that such disability is, or has become permanent, they shall retire such disabled person and place him upon the pension roll; provided further, that such fireman or policeman shall not be entitled to any benefits or relief under this section, if such sickness or disability shall be caused by dissipation, immoral conduct or vicious habits, or during such time as he shall receive his regular compensation from such City.

Section 21. Retirement by Reason of Age.

The Board of Trustees shall have the power and authority to retire from active service, and they may retire from active service, every fireman and every policeman, without regard to his length of service upon his attaining the age of sixty-five (65) years.

Section 22. Retirement by Reason of Service and Age.

Any fireman or policeman who has been in the service of the police or fire department for as long as twenty-five (25) years and who has reached the age of fifty (50) years or who has been in the service of said department for as long as twenty (20) years and who has reached the age sixty (60) years, upon application by him shall be retired and placed on the pension roll by said Board of Trustees.

Section 23. Monthly Benefits for Temporary Disability Arising as Result of Service in Department; Retirement for Permanent Disability.

Whenever the Board of Trustees shall determine that any fireman or policeman has become temporarily disabled, mentally or physically, for service in the department of which he is a member, and that such disability arose from any injury received or accident occuring while engaged in the performance of his duty or is otherwise a direct result of his service in such department the Board of Trustees shall order that such disabled fireman or policeman be paid monthly out of such fund, during the period of such disability, a sum equal to sixty-five (65) per cent of the monthly compensation paid such fireman or policeman as salary at the time of his having become so disabled; provided, that any benefits payable under this section shall be reduced by an amount equal to the amount, if any, which the beneficiary shall re-

ceive from such city as salary. The Board of Trustees shall be the sole judge of the extent and cause of any such disability and of the time when such disability has ceased to exist, and the Board's determination thereof shall be final. Whenever the Board of Trustees shall determine that such disability is, or has become, permanent, they shall retire such disabled person and place him upon the Pension Roll and (subject to the limitations set forth in Section 29 hereof) pay him an initial monthly pension equal to sixty-five (65) per cent of the monthly compensation paid such fireman or policeman at the time of his having become so disabled.

Section 24. Re-examination of Member Retired for Disability; Corrective Medical Treatment or Surgery.

After any member of the fire department or of the police department shall have retired upon pension voluntarily or by reason of disability, said Board of Trustees shall have the right, at any time, to cause such retired member to be brought before it and again examined by the city physician or other competent physicians and surgeons, to be selected by it, and also to examine other witnesses for the purpose of discovering whether such disability still continues, and whether such retired member should be continued on the pension roll, or returned to active duty, but such retired member shall remain upon the pension roll until reinstated in the active service of such department. The said Board of Trustees may also, at its discretion, and after a hearing, require the said retired member of the fire department or of the police department to undergo or submit to such corrective medical treatment or surgery as the Board of Trustees may deem proper and reasonably safe as a condition to his continuing upon the pension roll, and upon the failure or refusal of the said retired member to comply with any such orders made by the Board of Trustees concerning corrective medical treatment or surgery, the said retired member may be discontinued from the pension roll. In the event that the said retired fireman or policeman is suffering a disability which arose from an injury received or accident occurring while engaged in the performance of his duty or is otherwise a direct result of his service, the City of Tuscaloosa, may, with the approval of the Commission Board of the City of Tuscaloosa, bear the expenses of the said corrective medical treatment or surgery, and in all other cases the retired fireman or policeman involved shall bear the expenses, but in any event the Board of Trustees may, in its discretion, designate the physician or surgeon who shall supervise the corrective medical treatment or surgery. Such retired members shall be entitled to notice, and be present at the hearing of any such evidence, shall be permitted to propound any questions pertinent or relevant to such matter, and shall also have the right to introduce upon his own behalf any competent evidence he may see fit. All witnesses so produced shall be examined under oath; and any member of such Board of Trustees is hereby authorized and empowered to administer such oath to such witnesses. The decision of such Board of Trustees shall be final and conclusive and no appeal shall be allowed there from nor shall the same be subject to review or reversal, except by said Board of Trustees.

Section 25. Payments to Dependents of Member.

For the purpose of this section, children of any policeman or fireman who are under the age of eighteen (18) years, and also the widow of any policeman or fireman while unmarried shall be conclusively presumed to be entirely dependent upon such fireman or policeman.

If any fireman or policeman shall, while in the performance of his duty be killed, or die as a result of any injury received in the line of his

duty, or shall die from any cause whatsoever as the result of his service, in such department and while in such service; or after having served in such department for more than ten years, the last five years of which more consecutive shall die from any cause while in the service or on the retired or disabled list, and shall leave a surviving spouse (if retired, to whom he was married at the time of his retirement) surviving him, and entirely dependent upon him, the Board of Trustees shall direct the payment to such surviving spouse monthly during his or her natural life, and while unmarried and entirely dependent on such payment, a sum equal to twenty five percent of such fireman's salary if a fireman, and twenty-five percent of such policeman's salary if a policeman. If such fireman or policeman leaves surviving him a child or children under eighteen years of age, said Board shall direct the payment monthly from such fund to their surviving parent, whether married or unmarried, for their use, and benefit, an amount equal to fifteen percent of such policeman's or fireman's salary at the time of his death for each child under eighteen years of age not to exceed in the aggregate an amount equal to forty-five percent of such salary, so long as such child or children live with their surviving parent and are under eighteen years of age and are supported by such surviving parent. If such child or children have no surviving parent, or such surviving parent dies during the time such child or children are entitled to such benefit, such sum may be paid by the Board of Trustees to the person having control and custody of such child or children or to such other person as said Board of Trustees may direct, to be expended by such person for the benefit of such child or children as may be prescribed by said Board of Trustees. Should such deceased fireman or policeman leave no surviving spouse or child entitled to benefits as hereinabove set out, but a widowed mother entirely dependent upon him for support, said Board of Trustees shall pay to her monthly during her natural life and so long as she remains unmarried, a sum equal to twenty-five percent of such fireman's monthly salary, if a fireman, and a sum equal to twenty-five percent of such policeman's monthly salary, if a policeman.

Section 26. Procedure by Surviving Spouse or Dependents in Obtaining Payments.

When the surviving spouse or child or children or widowed mother, or either of them shall be entitled to a pension as provided in this Act, such surviving spouse or child or children or widowed mother shall make or cause to be made an application to the Board of Trustees through the secretary of such board, on a form to be provided by said board, which shall show, in the case of the surviving spouse, proof of the marriage of the deceased to the claimant, by marriage certificate or other competent evidence and such proof of dependency as the Board may direct; And proof of the widowhood of the mother of such deceased member, and her dependency for support upon him which shall be shown by affidavits of such widowed mother or disinterested persons; and the birth and ages of such children shall be shown by affidavits of the mother of such children or of disinterested persons, or by any other competent evidence. All applications and proofs shall be kept and retained in the custody of the said Board of Trustees.

Section 27. Payments to be on Salary Percentage Basis.

All pensions and relief and retirement pay provided for in this Act shall be on a salary percentage basis and shall increase or decrease in accord with the increase or decrease of the salaries of active members of such fire and police department.

Section 28. Decreased Benefits.

The annual income of the fund shall mean all revenues paid into the fund during the preceding fiscal year plus the increase during such year in the actual value of investments held (or minus the decrease in the actual value of investments held). The annual expense to the fund shall mean the sum of all monies paid out not including monies paid out and invested for the use of the fund.

If and when two consecutive fiscal years pass in which the annual income is less than the annual expense, every monthly benefit paid from the fund for the following year shall be decreased by multiplying each such benefit by the following ratio: preceding year's income divided by preceding year's expense (the monthly benefit to equal the product of such multiplication), and this procedure shall continue until the annual income equals or exceeds the annual expense, at which time monthly benefits shall be restored, and paid without such deduction.

Section 29. Limitations on Amount of Pension Benefits.

Under no circumstances shall any retired fireman or policeman be paid a pension or other benefit of more than One Hundred Twenty-five Dollars ($125.00) if he has contributed to the fund for less than five years, or more than One Hundred and Fifty Dollars ($150.00) per month if he has contributed to the fund for five years and less than ten years, or more than One Hundred Seventy-five Dollars ($175.00) per month if he has contributed to the fund for ten years and less than fifteen years, or more than Three Hundred Dollars ($300.00) per month if he has contributed to the fund for fifteen years or more, and under no circumstances shall the surviving spouse and-or children or widowed mother of a deceased fireman or policeman be paid a pension or other benefit in excess of Two Hundred Dollars ($200.00) per month.

Sction 30. Member Leaving Employment Forfeits Right to Benefits.

If any fireman or policeman be discharged, or for any other reason leaves the employment of the police department or fire department before he becomes entitled to any of the retirement benefits provided for in this Act, he shall forfeit all right to all benefits under the Act, but he shall be paid by said Board of Trustees any monies, without interest, that may have been paid into such fund by him by deduction from salary, less one-half of any sick benefits which have been paid to him from such fund. If any policeman or fireman is killed or dies, his death not resulting from action while in line of duty, and he does not have ten years service so as to entitle his surviving spouse or minor children to a pension or allowance under the other provisions of this Act, the surviving spouse, or the legal guardian of the minor children, shall be paid by the Board of Trustees any monies, without interest, that may have been paid into such fund or into any fund which preceded such fund by means of deductions from the salary of the policeman or fireman at any time since July 9th, 1943, less one-half of any sick benefits which have been paid in from such fund.

Section 31. Fund not Subject to Attachment, Assignments Prohibited; No Vested Rights in Fund.

No portion of said fund whether in cash or securities either before or after its distribution by the Board of Trustees to the person or persons entitled thereto under the provisions of this Act shall be held, seized, taken, subjected to, detained or levied upon by virtue of any attachment, garnishment, execution, injunction, writ, order, decree or

any other process whatsoever issued out of any court of this state, for the payment or satisfaction, in whole or in part of any debt, damage, demand, claim, judgment or decree against any beneficiary of such fund; but shall be exempt therefrom without any claim therefor. Nor shall any assignment be made of any portion of said fund or of any right or interest therein by any beneficiary or prospective beneficiary thereof, and all such assignments or attempted assignments shall be void. Said fund shall be sacredly kept, held and distributed for the purposes named in this Act, and for no other purposes, whatsoever. Neither the employment, payment of benefits to, nor the retirement of any person, nor the payment of any money into such fund by any person nor any act of the Board of Trustees or of the city governing body shall give right to any contractual or vested rights hereunder; but the legislature reserves full power and right to amend, or repeal any and every provision hereof and make disposition of such fund.

Section 32. City Attorney to Advise and Represent Board.

It shall be the duty of the City Attorney to give advice to the said Board of Trustees in all matters pertaining to the duties of the said Board of Trustees and the management of such fund, whenever requested to do so, and he shall represent and defend the said Board of Trustees as its attorney in all suits and actions at law or in equity that may be required or determined upon by said Board of Trustees; and the said Board of Trustees shall have the authority to employ such other counsel as it may see fit in such matters, and to pay out of such fund reasonable attorney's fees to such counsel as it may employ as aforesaid.

Section 33. Superseding Former Pension Acts.

This Act shall supersede Act Number 187 S. 339, approved June 29th, 1951 (General Acts of Alabama of 1951) as amended, in so far as said Act 187 applies to the City of Tuscaloosa, Alabama.

Section 34. The Provisions of this Act are Severable.

Should any part of this Act be declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 35. Effective Date.

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 27th, Sept. 3rd, Sept. 10th, and Sept. 17th, all in the year 1959.

BUFORD BOONE

Sworn to and subscribed before me September 19th, 1959.

ELLEN G. LA COUR
Notary Public

Also:

By Messrs. Bevill and Shumate:

H. 856. To abolish the office of comptroller of Walker County, and establish in lieu thereof a county depository; and to provide for the performance of certain duties relative to county funds by the county depository and other duties relative thereto by the Board of Finance and Control of Walker County and the President thereof, or any other like governing body of such county and its presiding officer.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To abolish the office of comptroller of Walker County, and establish in lieu thereof a county depository; and to provide for the performance of certain duties relative to county funds by the county depository and other duties relative thereto by the Board of Finance and Control of Walker County and the President thereof, or any other like governing body of such county and its presiding officer

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the expiration of the term of office of the incumbent comptroller of Walker County the office of comptroller of such county, which was created and established by Act No. 388, H. 943, approved September 4, 1957 (Acts of Alabama 1957, page 521), is hereby abolished In lieu thereof a county depository is hereby established, and except as herein otherwise provided, all the provisions of Article 2, Chapter 3, Title 12, Code of Alabama, 1940, and any and all other laws of this State applying to or with reference to county depositories in counties having a population of less than fifty-six thousand shall apply fully to the depository hereby established.

Section 2. On the first Monday after the second Tuesday in January 1961 the comptroller shall make a settlement with the Board of Finance and Control or other like governing body of Walker County and pay over the balance of money on hand to the order of the Board of Finance and Control, or other like county governing body, to the credit of Walker County

Section 3. On and after the first Monday after the second Tuesday in January 1961 all moneys theretofore required by law to be paid to the comptroller of Walker County shall be deposited in a bank or banks designated by the Board of Finance and Control or other like governing body of Walker County as a county depository in the manner and at the time prescribed in said Article 2 of Chapter 3 of Title 12 of the Code of Alabama, 1940, for designating county depositories in counties having a population of less than fifty-six thousand; and all sworn reports required by law to be made relative to collections and disbursements of county funds or the county's financial condition shall be made by the Board of Finance and Control or other like governing body of Walker County.

Section 4. When a county depository for Walker County has been established pursuant to this Act, accounts shall be opened, kept and disbursements made therefrom in the same manner prescribed by law

for the opening and keeping of accounts and the making of disbursements therefrom for county depositories established pursuant to said Article 2, Chapter 3, Title 12, Code of Alabama, 1940; and any bank or banks in Walker County designated as a county depository pursuant to this Act shall perform the same duties, shall be liable to the same pains and penalties, and shall be required to give bond or other security for the safety or deposits made therein as banks designated as county depositories pursuant to said Article 2, Chapter 3 of Title 12 .

Section 5. Upon the abolition of the office of comptroller, the president of the Board of Finance and Control, or other presiding officer of a like county governing body of Walker County shall perform all acts, required by law to be performed with respect to county funds other than the receipt and disbursement of such funds by the county depository. It is specifically provided however, that, with the approval of the county governing body, he may delegate any duties hereby imposed on him which are purely clerical to the chief clerk or an assistant clerk of such governing body, or may befurnished, at county expense, such clerical assistance as is reasonably necessary for the efficient performance of the duties hereby imposed upon him.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared William G. Jones, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 28, Sept. 3, Sept. 10, and Sept. 17, all in the year 1959.

WILLIAM G. JONES, JR.

Sworn to and subscribed before me September 17, 1959.

LATHAM C. SADDLER
Notary Public

Also:

By Mr. Avery:
H. 859. To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain teritory to said municipality.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF HALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Greensboro in Hale County are hereby altered, re-arranged and extended so as to embrace within the corporate limits of said municipality all the territory now lying within said limits, and in addition thereto, the following described lands lying and being in said county, to-wit:

Commence at the Southeast corner of Section 16, Township 20 North, Range 5 East, and run West along the south line of said section 898 feet to a point on the present corporate limit, run thence North along the present corporate limit 1361 feet to the center of the old creek bed of Caldwell Creek and the point of beginning; run thence North and parallel with the East line of said section 1282 feet to a point on the North boundary of the Southeast Quarter of said section; run thence West along the North boundary of the Southeast Quarter of said section 1200 feet, more or less, to a point in the center of the old creek bed of Caldwell Creek; and run thence Southeasterly along the center of said creek bed to the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
HALE COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared N. H. Cobbs, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Thursday, September 3, 1959; Thursday, September 10, 1959; Thursday, September 17, 1959; and Thursday, September 24, 1959.

N. H. COBBS,
publisher

Sworn to and subscribed before me this 24th day of September, 1959.

WILLIE L. ARRINGTON
Notary Public

Also:

By Messrs. Sessions, Perry, Locke, Morrow, Edwards, Rast and Hawkins:

H. 861. To alter and re-arrange the boundary lines of the City of Homewood, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the current regular session or any special session of the Legislature of Alabama, for introduction and passage of a bill the substance of which, as distinguished from details, is and will be in substance, as distinguished from detail, as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson, County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1, That from and after the passage and approval of this Act the boundary lines of the City of Homewood, Jefferson County, Alabama, be and the same are altered and re-arranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory lying and situated in Jefferson County, Alabama, contiguous to said City, more particularly described as follows:

All that part of the NW1/4 of the SW1/4 of Section 17, Township 18 South, Range 2 West, situated in Jefferson County Alabama, which lies Southeast of Shades Creek and East of the right-of-way of the Montgomery Highway as described in deed to Jefferson County recorded in Vol. 3082, Page 147, in the Office of the Judge of Probate of said County; also all that part of the NE 1/4 of the SW1/4 of Section 17 Township 18 South, Range 2 West, which lies Southeast of Shades Creek and Southwest of the Smyer Road.

Also, all that part of the South Half of the SW1/4 of Section 17, Township 18 South, Range 2 West, which lies North of the northerly right-of-way line of Alabama Power Company transmission line. Also a triangular parcel of land in the SE1/4 of SE1/4 of Section 18, Township 18 South, Range 2 West, lying North of the Alabama Power Com-

pany's right-of-way, West of the East line of Section 18, Township 18 South, Range 2 West and Southeast of the New Montgomery Highway except that part of said parcel heretofore deeded to Jefferson County, 2.2 acres, more or less and being the same land conveyed on August 4, 1955 by John G. Burton, Hampton C. Hopkins, Ray Frank Robbins, et al to Cherokee Land Company, Inc., which deed is filed in Vol. 5431, Page 323, Record of Deeds in the Probate Office of Jefferson County, Alabama.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of August 15, 22, 29, Sept. 5, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE
Publisher

Sworn and subscribed to on this the 7th. day of September, 1959.

SARA WHEELER
Notary Public

Also:

By Mr. Brooks:
H. 473. Providing for the utilization of convicts by the Commissioner of Corrections or the Director of the State Highway Department to work upon, clean, and restore certain cemeteries or graveyards.

Also:

By Mr. Copeland:
H. 395. To amend Section 5 of Title 27, Code of Alabama 1940, relating to the adoption of children; providing that a final order of adoption made by a court of competent jurisdiction shall be incontestable for any irregularity, infirmity, or defect in the adoption proceedings after the lapse of five years from the date thereof.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 693, 828, 837, 735, 838, 851, 854, 856, 859 and 861 — to the Committee on Local Legislation

H. B. 721 — to the Committee on Public Health

H. B. 473 — to the Committee on Public Welfare and Correctional Institutions

H. B. 395 — to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Copeland and Casey:
H. 38. Relating to civil remedies and procedures; providing for actions on worthless checks, drafts, or orders for the payment of money.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 38 — to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Callahan, Hanby, Dodd, Jenkins, Cabiness, Branyon, Hearn, McClendon (Chambers), Jones (Monroe), Daniel, Bishop, Johnston (Leonard), Bailey, Chambers, Meade, Albea, Ramey, Sullivan, McLendon (Bullock), Brewer, Speaks, Jones (Covington), Rozelle, Glass, Cook, Bevill, Cates, Johnson (Hardaway), Salter, Phillips, Harris, Solomon, Rogers, Copeland, Hankins, Oden, Britton, Ashworth, Reynolds (Madison), Trimmier, Thomas, Locke, Self, Hain, Turnham, Hardy, Avery, Harvey, Faulk, Grouby, Gilmer, Taylor, Broadfoot, Brannan, Powell, Smith (St. Clair), Ferguson, Nettles, Merrill, Roberts, Reynolds (Chambers), Adams (Houston), Hocklander, Rast, Nichols, Gilchrist, Martin, Barnett, Long (Perry), Owens, and Long (Lauderdale):
H. 762. To authorize the sale and issuance of not exceeding $3,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of constructing and equipping a hospital building to constitute a part of the University of Alabama Medical Center and to be used for the care and treatment of mental patients and for training of medical students in the field of mental illness; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary for those portions of the state taxes on the sale of spirituous or vinous liquors and of the state license taxes on those selling, storing or receiving for distribution malt or brewed beverages that are required by law to be paid into the Alabama Special Mental Health Fund; to create a bond commission with authority to specify the details of and to make provisions for the sale

of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

Also:

By Messrs. Callahan, Hanby, Dodd, Jenkins, Cabiness, Branyon, Hearn, McClendon (Chambers), Jones (Monroe), Daniel, Bishop, Ramey, Bailey, Chambers, Albea, Johnston (Leonard), Meade, Sullivan, McLendon (Bullock), Brewer, Speaks, Jones (Covington), Rozelle, Glass, Cook, Bevill, Cates, Johnson (Hardaway), Salter, Phillips, Harris, Solomon, Rogers, Copeland, Hankins, Oden, Britton, Ashworth, Reynolds (Madison), Trimmier, Locke, Self, Hain, Turnham, Hardy, Avery, Harvey, Faulk, Grouby, Gilmer, Taylor, Broadfoot, Brannan, Powell, Smith (St. Clair), Grant, Ferguson, Nettles, Merrill, Roberts, Reynolds (Chambers), Adams (Houston), Hocklander, Rast, Nichols, Gilchrist, Martin, Barnett, Long (Perry), Owens, and Long (Lauderdale):

H. 765. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding $3,000,000 principal amount of General Obligation Bonds of the State of Alabama for construction and equipment of a hospital building for mental patients to constitute a part of the University of Alabama Medical Center.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 762 and 765 — to the Committee on Finance and Taxation

(The Bill, H. B. 765, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 348. Relating to the holding of elections in Marengo County; requiring the court of county commissioners, board of revenue, or other like governing body of Marengo County to provide for the purchase, installation, and use of voting machines in all elections held within the county.

Also:

S. 352. Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Ashworth:
H. 520. To amend Section 27 of Title 42, Code of Alabama (1940), which relates to compacts for out-of-state parolee supervision, to include territories of the United States and the District of Columbia within the purview thereof.

Also:

By Mr. Ashworth:
H. 521. To designate certain space on the second floor of the Capitol for the use of the Legislature and the Committees, members, officers and employees thereof.

Also:

By Mr. Ashworth:
H. 420. To empower the Commissioner of the State Department of Pensions and Security to authorize the destruction of obsolete records pertaining to the handling and distribution of surplus commodities.

Also:

By Mr. Ashworth:
H. 421. To Provide for the inspection of State Income Tax Returns by officials and duly authorized agents of the State Department of Pensions and Security for the purpose of the administration and enforcement of the state welfare laws, subject to reasonable rules and regulations prescribed by the State Commissioner of Revenue.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 520 and 420 — to the Committee on Judiciary

H. B. 521 — to the Committee on Public Buildings and Grounds

H. B. 421 — to the Committee on Public Welfare and Correctional Institutions

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Callahan, Hanby, Dodd, Jenkins, Cabiness, Branyon, Hearn, McClendon (Chambers), Jones (Monroe), Johnston (Leonard),

Daniel, Bishop, Bailey, Chambers, Ramey, Albea, Meade, Sullivan, Brewer, Speaks, Jones (Covington), Rozelle, Bevill, Glass, Cook, Johnson (Hardaway), Salter, Phillips, Harris, Solomon, Rogers, Copeland, Hankins, Oden, Britton, Ashworth, Reynolds (Madison), Trimmier, Thomas, Hain, Self, Turnham, Hardy, Avery, Harvey, Faulk, Gilmer, Grouby, Taylor, Broadfoot, Smith (St. Clair), Roberts, Brannan, Powell, Nettles, Merrill, Reynolds (Chambers), Adams (Houston), Hocklander, Rast, Nichols, Gilchrist, Martin, Barnett, Owens, Long (Lauderdale), Ferguson, McLendon (Bullock):

H. 760. To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of the taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the state treasury.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 760 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 264. To make an appropriation to the board of trustees of Alabama Polytechnic Institute for capital outlays at certain branch experiment stations.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Sullivan, Ray, Oden, Gilchrist and Branyon:

H. 365. Relating to crimes and offenses: To make it a misdemeanor to obtain or attempt to obtain telephone or telegraph service by use of false, fictitious, counterfeit, revoked or nonexistent credit card, credit number or other credit device or telephone number, or credit card, credit number or credit device or telephone number of another without authority, or through any fraudulent scheme, device, means or method; to provide for punishment of such acts; to repeal all conflicting laws.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 365 — to the Committee on Judiciary

RESOLUTION

Messrs. Hines, Jones, Andrews and Samford offered the following Senate Joint Resolution, to-wit:

S. J. R. 29. WHEREAS the two Houses of the Legislature of Alabama have heard with deep regret and profound sorrow of the death of Honorable William Ora Walton, well-beloved judge of the Fifth Judicial Circuit of Alabama, and a former Senator (1935-1939) and Representative (1923-1927) from Chambers County; and

WHEREAS the two Houses, as a mark of respect for this peerless gentleman, able and devoted public servant, prodigious wit, and matchless raconteur, do now

RESOLVE that the following minute be spread upon the records of each House, on a separate page of the journal:

Judge William Ora Walton died in LaFayette, Chambers County, October 1, 1959. He was born at Waverly, Tallapoosa County, December 6, 1892, attended Waverly public schools and Birmingham College Training School, and was graduated from Birmingham-Southern College and Cumberland University. He married Lynda Ruth Tatum, of Cincinnati, Ohio, the mother of his two fine sons, William Ora Walton Jr. and James Richard Walton.

Judge Walton was a brave and distinguished soldier during World War I. Admitted to the Alabama Bar in 1922, he was an outstanding lawyer, a statesman, scholar, and patriot. His years were filled with useful deeds of kindness, of courage, and fidelity to his State and to his fellowmen. His passing is deeply mourned.

RESOLVED FURTHER, That the Secretary of the Senate be directed to transmit a copy of these resolutions to the family of the deceased.

And on motion of Mr. Hines, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 674. Relating to the establishment, construction, reconstruction, repair, and maintenance of roads and bridges in all counties having a population of not less than 41,000 nor more than 47,000, according to the last or any subsequent federal decennial census; providing for a referendum election to determine whether the state or the county will have and exercise jurisdiction, supervision, and control over county roads and bridges.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Andrews	Dumas	Green	Samford	
Archer	Eddins	Jones	Shelton	
Berryman	Farmer	Kendall	Webb	
Caffey	Gaither	Moses	Wilson	
Cooper	Godfrey	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 622. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Shelby County.

Was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Godfrey	Robison	
Andrews	Dumas	Graham	Samford	
Archer	Eddins	Jones	Shelton	
Berryman	Farmer	Kendall	Webb	
Caffey	Gaither	Moses	Wilson	
Cooper	Givhan	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 637. To apply in all counties having a population of not less than 25,725 nor more than 25,875, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison	
Andrews	Dumas	Green	Samford	
Archer	Eddins	Jones	Shelton	
Berryman	Farmer	Kendall	Webb	
Caffey	Givhan	Moses	Wilson	
Cooper	Godfrey	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 690. Relating to the purchase of supplies, materials, equipment, and contractual services, and the sale or exchange of property, by or for Autauga County; providing for competitive bidding on certain contracts, purchases, sales, and exchanges; prescribing penalties.

was taken up.

Mr. Graham offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 690

In Section 1, line 14 after the word "include" insert the following: "purchase of insurance or"

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Godfrey	Robison
Andrews	Dumas	Graham	Samford
Archer	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Webb
Caffey	Gaither	Moses	Wilson
Cooper	Givhan	Porter	Wyatt
Crawford			

—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Godfrey	Robison
Andrews	Dumas	Graham	Samford
Archer	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Webb
Caffey	Gaither	Moses	Wilson
Cooper	Givhan	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 691. To regulate the compensation of the solicitor of Autauga County; amending Section 5 of Act No. 77, H. 325, approved July 7, 1947 (Local Acts 1947, p. 55).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Godfrey	Robison
Andrews	Dumas	Graham	Samford
Archer	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Webb
Caffey	Gaither	Moses	Wilson
Cooper	Givhan	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 692. To provide for the repair, maintenance, and servicing of motor vehicles, automotive equipment, and machinery used in the construction and maintenance of public roads and bridges in Autauga County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Godfrey	Robison	
Andrews	Dumas	Graham	Samford	
Archer	Eddins	Jones	Shelton	
Berryman	Farmer	Kendall	Webb	
Caffey	Gaither	Moses	Wilson	
Cooper	Givhan	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 704. TO alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison	
Andrews	Eddins	Green	Samford	
Archer	Gaither	Jones	Shelton	
Berryman	Givhan	Kendall	Webb	
Caffey	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 707. To levy county sales and use taxes for public school purposes in Greene County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; to provide penalties for violations of the Act; to supersede and repeal Act No. 24, H. 15, approved February 19, 1959.

was taken up.

Mr. Wilson offered the offowing amendment to the Bill, to-wit:

AMENDMENT TO H. B. 707

In paragraph 5 of Section 1, on page 2, strike out "three per cent of the sales price" and insert "one-half of one percent of the sales price".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Andrews	Dumas	Green	Samford
Archer	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Webb
Caffey	Gaither	Moses	Wilson
Cooper	Givhan	Porter	Wyatt
Crawford			—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Green	Samford
Archer	Eddins	Jones	Shelton
Berryman	Gaither	Kendall	Webb
Caffey	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 710. To authorize the Health Officer of any county of this state having a population of 500,000 or more according to the last or any subsequent federal census to obtain, perform or require an autopsy on or internal examination of the body of any person whose death the said Health Officer has reason to believe was caused by communicable disease or other cause related to the protection of the public health; to authorize the said Health Officers to make all necessary and reasonable orders to secure and facilitate the making of such autopsy or internal examination; to provide that it shall be a misdemeanor for any person to impede, interfere with or obstruct the said Health Officer in his making or performing any such autopsy or examination, or to impede, interfere with or obstruct any other person in making or performing such autopsy or examination at the request of the said Health Officer; and to provide for the payment of expenses relating to said autopsy or internal examination.

was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Jones
Andrews	Crawford	Godfrey	Kendall
Archer	Dumas	Golson	Moses
Berryman	Farmer	Graham	Porter
Caffey	Gaither	Green	Robison

Samford	Webb	Wilson	Wyatt	
Shelton				—24

Nays: —0

The Bill:

H. 711. To provide for the relief of Lula Braxton, out of the general funds of the City of Birmingham, a municipality, Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison	
Andrews	Dumas	Graham	Samford	
Archer	Eddins	Jones	Shelton	
Berryman	Farmer	Kendall	Webb	
Caffey	Gaither	Moses	Wilson	
Cooper	Godfrey	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 736. To Amend further Act No. 415, H. 665, approved September 24, 1919, as amended and revised by Act No. 66, H. 261 (Local Acts of Alabama, 1947, page 46) and as thereafter further amended, which established the Morgan County Court in order to authorize the judge of such court to fix, within a prescribed maximum, the salary of the reporter for such court and to give the Act retroactive effect.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison	
Andrews	Eddins	Green	Samford	
Archer	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Webb	
Caffey	Givhan	Moses	Wilson	
Cooper	Godfrey	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 737. To amend further Section 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County on a salary, prescribed certain duties of the judge of probate, and provided for clerical assistance, office space, supplies, and equipment necessary for the operation of his office; providing further for the clerk-hire allowance of the judge of probate.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison
Archer	Eddins	Green	Samford
Berryman	Farmer	Jones	Shelton
Caffey	Givhan	Kendall	Webb
Cooper	Godfrey	Moses	Wilson
Crawford	Golson	Porter	Wyatt
deGraffenried			—24

Nays: —0

The Bill:

H. 654. Relating to Mobile County; authorizing and directing the board of revenue and road commissioners of the county to establish and maintain a special fund to be used and expended by the sheriff of the county in law enforcement and in the conduct of his office; and regulating the disbursement of the moneys in this fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Farmer	Green	Samford
Archer	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Webb
Caffey	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 738. To amend further Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, page 789) as amended, which fixes the compensation of members of the Board of Revenue and Control of Morgan County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Andrews	Dumas	Green	Samford
Archer	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Webb
Caffey	Gaither	Moses	Wilson
Cooper	Godfrey	Porter	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 739. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Morgan County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison
Andrews	Eddins	Green	Samford
Archer	Farmer	Jones	Shelton
Berryman	Givhan	Kendall	Webb
Caffey	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 740. To amend further Act No. 415, H. 665, approved September 24, 1919, the act that established the county court for Morgan County (Local Acts 1919, p. 194), in relation to the compensation of the register of the circuit court of Morgan County for ex officio services performed in said court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Godfrey	Porter
Andrews	Dumas	Golson	Robison
Archer	Eddins	Graham	Shelton
Berryman	Farmer	Green	Webb
Caffey	Gaither	Jones	Wilson
Cooper	Givhan	Moses	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 741. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid to the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Caffey	Dumas	Golson
Andrews	Cooper	Farmer	Graham
Archer	Crawford	Gaither	Green
Berryman	deGraffenried	Godfrey	Jones

Kendall	Robison	Shelton	Wilson
Moses	Samford	Webb	Wyatt
Porter			

—24

Nays: —0

The Bill:

H. 742. To alter, rearrange, and redefine the boundaries of the four subdivisions of Morgan County heretofore designated as districts for certain purposes prescribed by law.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Godfrey	Robison
Andrews	Dumas	Golson	Samford
Archer	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Webb
Caffey	Gaither	Moses	Wilson
Cooper	Givhan	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 743. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, P. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Andrews	Dumas	Green	Samford
Archer	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Webb
Caffey	Givhan	Moses	Wilson
Cooper	Godfrey	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 772. Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Green	Samford
Archer	Eddins	Jones	Shelton
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 781. For the relief of V. Chambliss authorizing the County Commission of Jefferson County, Alabama, to make an appropriation from the County Treasury to compensate V. Chambliss for certain damages.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison
Andrews	Dumas	Graham	Samford
Archer	Eddins	Green	Shelton
Berryman	Farmer	Jones	Webb
Caffey	Gaither	Kendall	Wilson
Cooper	Givhan	Moses	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 784. For the relief of Mrs. E. H. Golden and L. L. Tryon, authorizing the County Commission of Jefferson County, Alabama, to make an appropriation from the County Treasury to compensate the said Golden and Tryon for certain damages.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Graham	Robison
Andrews	Farmer	Green	Samford
Archer	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Webb
Caffey	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Dumas			

—24

Nays: —0

The Bill:

H. 785. Relating to game and fish in Lawrence County; to prohibit the use of gill nets, hoop nets, and trammel nets in taking, capturing, or killing fish in public waters anywhere in Lawrence County; prescribing penalties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Green	Samford
Archer	Eddins	Jones	Shelton
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 796. To permit any bank now or hereafter having a combined or paid-in capital and paid-in or earned surplus of more than $500,000 and having an authorized office or place of business in Decatur, Alabama, to establish, maintain and operate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison
Archer	Eddins	Green	Samford
Berryman	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Webb
Cooper	Godfrey	Moses	Wilson
Crawford	Golson	Porter	Wyatt
deGraffenried			—24

Nays: —0

The Bill:

H. 803. To amend Sections 1, 3, and 4 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; altering, modifying, and changing the rates of tax provided for therein and extending the applicability of such taxes to certain sales and to the storage, use, or other consumption of certain property within Tuscaloosa County heretofore exempt, and redefining certain terms.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Caffey	Eddins	Golson
Andrews	Cooper	Farmer	Graham
Archer	Crawford	Gaither	Green
Berryman	deGraffenried	Godfrey	Jones

Kendall	Robison	Shelton	Wilson	
Moses	Samford	Webb	Wyatt	
Porter				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Meade:
H. 656. To provide for naming certain bridges by the State Highway Department.

Also:

By Messrs. Harris and Meade:
H. 700. To provide for the designation by the state highway department of the bridge on Alabama Highway No. 35 across Little River at the DeKalb County-Cherokee County line as the "G. E. Hill Bridge."

Also:

By Mr. Harris:
H. 701. To provide for the designation by the state highway department of certain highways in DeKalb County as "Desota Parkway."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 656, 700 and 701. to the Committee on Public Roads and Highways.

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills, begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively and finds same correctly enrolled, to-wit:

S. 348. Relating to the holding of elections in Marengo County; requiring the court of county commissioners, board of revenue, or other like governing body of Marengo County to provide for the purchase, installation, and use of voting machines in all elections held within the county.

Also:

S. 352. Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

Also:

S. 264. To make an appropriation to the board of trustees of Alabama Polytechnic Institute for capital outlays at certain branch experiment stations.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Franklin, Boyd, Thomas, Grouby, Lee, Johnson (J. T. Tom), Solomon, Camp, Goodwyn, Perry, Cook, Nichols, Ingram, Adams (Houston), Oakley, Hardy, Gilmer, Johnson (Hardaway), Johnston (Leonard), Hanby, Martin, Shumate, Turnham, Nettles, Dickson, Chambers, Long (Lauderdale), Hawkins, Edwards and Torbert:

H. 190. To propose an amendment to the Constitution forbidding enactment of a law placing responsibility for construction and maintenance of county roads in the State Highway Department or other state agency unless authozied by a vote of the qualified electors of the county.

OAKLEY MELTON, Jr.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee as follows:

H. B. 190. to the Committee on Constitution and Constitutional Revision and Amendments.

BILLS ON THIRD READING RESUMED

The Bill:

H. 595. Relating to the municipality of the City of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Green	Samford
Archer	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Webb
Caffey	Givhan	Moses	Wilson
Cooper	Godfrey	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 657. To amend Act No. 496, H. 930, approved September 3, 1953 (Acts of Alabama, 1953, page 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 657

In Section 1, strike out the paragraph beginning, "(a) In the event that the act regulating purchases" and insert in lieu thereof the following paragraph:

"(a) The probate judge shall be allowed the sum of eleven thousand dollars ($11,000) annually for the employment of clerical assistance, including the chief clerk. The salary of the chief clerk of the probate judge shall be four thousand eight hundred dollars ($4,800) annually."

Also, strike out paragraph "(b)" and insert:

"(b) The Circuit Clerk shall be allowed the sum of two thousand four hundred dollars ($2,400) annually for the employment of clerical assistants, in addition to the deputy provided for by Act No. 502, Regular Session 1955, as amended by Act No. 21, Regular Session 1959."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Caffey	Dumas	Golson
Andrews	Cooper	Farmer	Graham
Archer	Crawford	Gaither	Green
Berryman	deGraffenried	Givhan	Jones

Kendall	Robison	Shelton	Wilson
Moses	Samford	Webb	Wyatt
Porter			

—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Green	Samford
Archer	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Moses	Wilson
Cooper	Golson	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 712. To amend Section 797, Title 37, of the 1940 Code of the State of Alabama, as amended by Act No. 421 of the 1949 Regular Session of the Legislature of Alabama (General Acts, 1949, p, 597).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison
Andrews	Eddins	Green	Samford
Archer	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Webb
Caffey	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 783. To amend Section 4 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 approved September 12, 1951 (Acts 1951, page 1579) as amended by Act No. 194 of the 1955 session of the Legislature of Alabama (Acts 1955, page 478) entitled "AN ACT to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison	
Archer	Eddins	Green	Samford	
Berryman	Farmer	Jones	Shelton	
Caffey	Givhan	Kendall	Webb	
Cooper	Godfrey	Moses	Wilson	
Crawford	Golson	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 810. To fix and require the payment of fees and costs in each case filed in the Jefferson County Civil Court; to require that all such fees be paid into the County Treasury of Jefferson County; and to provide for the effective date of this Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison	
Andrews	Eddins	Green	Samford	
Archer	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Webb	
Caffey	Givhan	Moses	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

S. 387. To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said city.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison	
Archer	Eddins	Green	Samford	
Berryman	Farmer	Jones	Shelton	
Caffey	Givhan	Kendall	Webb	
Cooper	Godfrey	Moses	Wilson	
Crawford	Golson	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

S. 377. To extend, alter and rearrange the boundary and corporate limits of the City of Union Springs, in Bullock County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison	
Andrews	Dumas	Graham	Samford	
Archer	Eddins	Jones	Shelton	
Berryman	Farmer	Kendall	Webb	
Caffey	Givhan	Moses	Wilson	
Cooper	Godfrey	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

S. 379. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the judge of probate, tax assessor, tax collector, sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties; and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistance, equipment, and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison	
Andrews	Eddins	Green	Samford	
Archer	Gaither	Jones	Shelton	
Berryman	Givhan	Kendall	Webb	
Cooper	Godfrey	Moses	Wilson	
Crawford	Golson	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 186. To amend the act approved August 1, 1951 making it a misdemeanor for any person, firm, or corporation to take, carry, transport, or remove a dead human body from within the confines of this State unless the same has been embalmed or cremated (Act No. 320, S. 287, Acts 1950-1951, Vol. I, p. 612).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Crawford	Godfrey	Porter	
Andrews	deGraffenried	Golson	Robison	
Archer	Dumas	Graham	Samford	
Berryman	Farmer	Jones	Webb	
Caffey	Gaither	Kendall	Wilson	
Cooper	Givhan			—21

Nays: —0

The Bill:

H. 149. Relating to marital relations; providing that the marriage of any male resident of this state over the age of eighteen years relieves him of the disabilities of minority.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill,to-wit:

AMENDMENT TO H. B. 149

Strike out Section 1 entirely and insert in lieu thereof the following:

Section 1. The marriage of any male person in this state, who is under twenty-one and over eighteen years of age, or any male person who becomes a widower in this state, who is under twenty-one and over eighteen years of age, or, at the arrival at the age of eighteen years of any married male person, or widower in this state, has the effect immediately to remove his, or their disabilities of minority; and thereafter he has the same legal rights and abilities as married male persons, or widowers over twenty-one years of age.

Which was adopted.

Yeas 17; Nays 6.

Yeas:

Messrs.:	deGraffenried	Golson	Porter	
Andrews	Dumas	Graham	Shelton	
Berryman	Gaither	Jones	Webb	
Caffey	Givhan	Moses	Wilson	
Crawford	Godfrey			—17

Nays:

Messrs.:	Cooper	Farmer	Samford	
Archer	Eddins	Robison		—6

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 12; Nays 10.

Yeas:

Messrs.:	Crawford	Givhan	Porter	
Berryman	Dumas	Golson	Shelton	
Caffey	Gaither	Jones	Webb	
Cooper				—12

Nays:

Messrs.:	deGraffenried	Godfrey	Samford	
Andrews	Eddins	Graham	Wilson	
Archer	Farmer	Robison		—10

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pierce, Bailey, Goodwyn, Nettles, Phillips, Grant, Britton, Daniel, Oakley, McCorquodale, Bounds and Boyd:

H. 364. To limit the casting and the counting of "write-in" votes in general elections to votes for persons who have published announcements of candidacy; to provide for the filing of proof of the publication of such announcements with the judges of probate; to require the judges of probate to furnish election officials with lists of persons who have filed proof of such announcements; and to prescribe penalties for violations of this Act.

Also:

By Messrs. Goodwyn, Pierce, and Smith (Russell):

H. 475. To amend Section 1 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 364. to the Committee on Privileges and Elections.

H. B. 475. to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brannon, Bailey, Reynolds (Chambers), McClendon (Chambers) and Brewer:

H. 245. Relating to accounts of deceased persons in a Savings and Loan Association. To whom and how paid.

Also:

By Messrs. Brannon, Bailey, Reynolds (Chambers), McClendon (Chambers), and Brewer.

H. 242. Relating to definitions of savings and loan associations; amending Section 211, Title 5, Code of Alabama, 1940, and in clarification of Section 250, Title 5, Code of Alabama, 1940.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 245 and 242. to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Ramey and Martin:

H. 537. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945, who declined membership in the Employees' Retirement System of Alabama in the manner prescribed in Section 3 of Act 515 approved July 9, 1945, and who retires with a minimum of fifteen years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Control of the Employees' Retirement System under the provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 571 approved September 18, 1957 relating to certain benefits to retired state employees, and to provide the appropriation necessary to carry out the provisions of this act.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 537. to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Copeland and Casey:

H. 36. Relating to frauds concerning checks, drafts, or orders for the payment of money; prohibiting the giving of worthless checks or drafts; prescribing penalties; repealing conflicting laws (Act No. 116, H. 63, approved June 20, 1951).

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 36. to the Committee on Judiciary.

BILLS ON THIRD READING RESUMED

The Bill:

S. 177. To prohibit members of the Legislature from doing business with the State or any of its officers or agencies; prescribing penalties.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

JUDICIARY COMMITTEE AMENDMENT TO SENATE BILL NO. 177

Section 1 of S. B. No. 177 is hereby amended by inserting after the word "lease" in line 3 of said section, the words "contract of employment as attorney."

Section 1 of S. B. No. 177 is hereby further amended by adding at the end of Section 1 the following new sentence: "The agency of the state hereinabove referred to shall not be construed to include any county or any municipality."

Mr. Golson moved that further consideration of the Bill, and pending amendment, be postponed until the next Legislative Day.

On motion of Mr. Eddins, the motion to postpone was laid on the table.

Yeas 13; Nays 10.

Yeas:

Messrs.:	Caffey	Farmer	Robison	
Andrews	deGraffenried	Givhan	Shelton	
Archer	Dumas	Graham	Wilson	
Berryman	Eddins			—13

Nays:

Messrs.:	Gaither	Kendall	Samford	
Cooper	Godfrey	Moses	Webb	
Crawford	Golson	Porter		—10

MOTION TO ADJOURN LOST

At 3:31 P. M., Mr. Archer moved that the Senate adjourn until Friday, October 9, 1959, at 10 o'clock A. M., which motion was lost.

Yeas 8; Nays 16.

Yeas:

Messrs.:	Cooper	Gaither	Golson	
Archer	deGraffenried	Godfrey	Porter	
Berryman				—8

Nays:

Messrs.:	Eddins	Jones	Samford	
Andrews	Farmer	Kendall	Shelton	
Caffey	Givhan	Moses	Webb	
Crawford	Graham	Robison	Wilson	
Dumas				—16

FURTHER CONSIDERATION OF S. B. 177

The Senate proceeded to further consideration of the Bill, S. B. 177.

The question was on the amendment reported by the Standing Committee on Judiciary, and said amendment was then adopted.

Yeas 18; Nays 5.

Yeas:

Messrs.:	deGraffenried	Graham	Samford	
Andrews	Dumas	Jones	Shelton	
Berryman	Eddins	Kendall	Webb	
Caffey	Farmer	Porter	Wilson	
Crawford	Givhan	Robison		—18

Nays:

Messrs.:	Cooper	Godfrey	Golson	
Archer	Gaither			—5

Mr. Gaither moved that further consideration of the Bill, S. B. 177, as amended, be postponed until the Thirtieth Legislative Day.

Mr. Eddins moved that the motion to postpone the Bill, as amended, be laid on the table, and the motion to table prevailed.

Yeas 16; Nays 7

Yeas:

Messrs.:	Dumas	Graham	Samford	
Andrews	Eddins	Jones	Shelton	
Berryman	Farmer	Kendall	Webb	
Crawford	Givhan	Robison	Wilson	
deGraffenried				—16

Nays:

Messrs.:	Cooper	Godfrey	Moses	
Archer	Gaither	Golson	Porter	
				—7

MOTION TO ADJOURN LOST

At 4 o'clock P. M., Mr. Gaither moved that the Senate adjourn until Friday, October 9, 1959, at 10 o'clock A. M., which motion was lost.

Yeas 9; Nays 15

Yeas:

Messrs.:	deGraffenried	Golson	Porter	
Archer	Gaither	Moses	Shelton	
Cooper	Godfrey			—9

Nays:

Messrs.:	Crawford	Givhan	Robison	
Andrews	Dumas	Graham	Samford	
Berryman	Eddins	Jones	Webb	
Caffey	Farmer	Kendall	Wilson	
				—15

FURTHER CONSIDERATION OF S. B. 177

The Senate proceeded to further consideration of the Bill, S. B. 177; and said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 17; Nays 7.

Yeas:

Messrs.:	deGraffenried	Graham	Samford	
Andrews	Dumas	Jones	Shelton	
Berryman	Eddins	Kendall	Webb	
Caffey	Farmer	Robison	Wilson	
Crawford	Givhan			—17

Nays:

Messrs.:	Cooper	Godfrey	Moses	
Archer	Gaither	Golson	Porter	
				—7

Mr. Eddins moved that the Senate reconsider the vote by which it passed the Bill, S. B. 177, as amended, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

The Bill:

H. 234. To amend Section 37 of Title 36, Code of Alabama (1940), which prohibits the operation of certain motor vehicles on the highways unless equipped with a mirror so located so as to reflect to the driver a view of the highway to the rear of the vehicle, by requiring every motor vehicle operator on the highways to be equipped with such a mirror.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	deGraffenried	Givhan	Moses	
Andrews	Dumas	Godfrey	Robison	
Berryman	Eddins	Golson	Samford	
Caffey	Farmer	Graham	Shelton	
Cooper	Gaither	Jones	Webb	
Crawford				—20

Nays: —0

The Bill:

S. 175. To amend Section 3 of Act No. 443, approved August 29, 1953, entitled "An Act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation" (General Acts Alabama, Regular Session, 1953, p. 549), and to provide the time when the amendment shall become effective.

was read a third time at length.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twenty-fifth Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:30 P. M., on motion of Mr. Robison, pending further consideration of S. B. 175, the Senate adjourned until Friday, October 9, 1959, at 10 o'clock A. M.

TWENTY-SIXTH LEGISLATIVE DAY

FRIDAY, OCTOBER 9, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend R. S. Watson, Chaplain, Kilby Prison, Montgomery, Alabama.

Present:

ROLL CALL

Messrs.:	Dumas	Haltom	Robison
Andrews	Eddins	Jones	Samford
Archer	Farmer	Kendall	Shelton
Berryman	Gaither	Leonard	Webb
Cooper	Godfrey	Moses	Wilson
Crawford	Golson	Porter	Word
deGraffenried	Green	Roberts	Wyatt

—27

JOURNAL

On motion of Mr. Gaither, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Haltom, leave of absence was granted Mr. Caffey for today.

On motion of Mr. Samford, leave of absence was granted Mr. Hines for today.

On motion of Mr. Cooper, leave of absence was granted Messrs. Word, Barnett and Graham for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Rutledge:

S. 424. To amend Section 2, Item III G (6) of Act. No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judical departments of the State, and for the interest on the public debt and for the public schools."

Committee on Finance and Taxation

By Mr. Wyatt:

S. 425. To alter or rearrange the boundary lines of the city of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

Committee on Local Legislation

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill, substantially as follows, will be introduced for enactment into law by the present Legislature of the State of Alabama.

AN ACT

To alter or rearrange the boundaries lines of the city of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also certain other territory in St. Clair county, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Pell City, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the Corporate Limits of said City all territory now within such corporate limits, and also other territory in St. Clair County, Alabama, described as follows: The South one-half of the Southeast Quarter; the South-east Quarter of the South-west Quarter and all that part of the Southwest Quarter of the Southwest Quarter lying East of the present Corporate Limit Line of the City of Pell City, all in Section 35, Township 16, South, Range 3, East, St. Clair County, Alabama; also, the Northeast Quarter of the Northeast Quarter, the South one-half of the Southeast Quarter and all that part of the Northeast Quarter of the Southeast Quarter lying South of the North right-of-way line of the Southern Railway; the South one-half of the Southwest Quarter and the Northwest Quarter of the Southwest Quarter, all in Section 2, and also, the Southeast diagonal one-half of the Southeast Quarter of Section 3, all in Township 17, South, Range 3, East, St. Clair County, Alabama.

Section 2. That the boundaries as set out in Section 1, of this Act, be and the same are hereby established as the Corporate Limits of the City of Pell City, St. Clair County, Alabama, and all the territory

included and embraced in said boundaries shall hereafter be and constitute the City of Pell City, St. Clair County, Alabama.

Section 3. This Act shall go into effect immediately upon the passage and approval by the Governor.

AFFIDAVIT OF PUBLISHER

STATE OF ALABAMA
ST. CLAIR COUNTY

On this 6th day of Oct. 1959, personally appeared before me Ethel Blair, Notary Public, in and for the County and State aforesaid, E. R. Blair, who being duly sworn according to Law, declares that he is Publisher of the "St. Clair News-Aegis," a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 8/6, 13, 20, 27, 1959. That a copy of said paper was furnished the of the Court.

E. R. BLAIR.

Subscribed and sworn to before me, this 6th day of Oct, A. D., 1959.

ETHEL BLAIR,
Notary Public.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment and it was read a second time and placed on the calendar, to-wit:

By Messrs. Farmer, Crawford, deGraffenried, Berryman, Moses, Golson and Barnett (with amendment):

S. 375. Relating to the sale of livestock; making in a misdemeanor for any person to sell, offer for sale, buy or offer to buy livestock on public property within five thousand (5,000) feet of a public livestock market and to provide for enforcement.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 413. To provide for the licensing and regulation of collection agencies in the State of Alabama, and prescribing penalties.

By Messrs. Porter, Roberts, Hines, Wyatt, Gaither, Wilson, Crawford, Moses, Haltom, deGraffenried, Shelton, Webb, Jones Givhan, Graham, Farmer, Andrews, Green, Samford, Golson, Barnett and Kendall.

S. 319. To amend further Section 201 of Title 15, Code of Alabama 1940, in relation to the surety bond required by persons engaged in the business of making bail bonds.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in session, had acted on the following

bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Andrews (with substitute):
S. 380. To amend further Section 325 of Title 15, Code of Alabama 1940, which relates to legal punishment.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee in Session, had acted on the following bill, and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ashworth:
H. 420. To empower the Commissioner of the State Department of Pensions and Security to authorize the destruction of obsolete records pertaining to the handling and distribution of surplus commodities.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dumas, Porter, Haltom, Webb, Farmer, Jones, Hines, Samford, Archer, deGraffenried, Turner and Andrews (with amendment):
S. 385. To provide for the taking of depositions of witnesses and parties upon oraal examination for discovery or for use as evidence; to prescribe the scope of such examination, the use of such depositions, and the effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; to prescribe the penalties for failure of such person to appear for such examination; to regulate and conform practice and procedure with respect to such examinations and depositions; to make said examinations and depositions available to litigants in suits in equity; to validate certain depositions taken under pre-existing law; and to repeal conflicting statutes and rules of practice.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hanby:
H. 534. Relating to securities; prohibiting fraudulent practices in relation thereto; requiring the registration of securities dealers and salesmen and making unlawful the activities of unregistered securities dealers and salesmen; establishing the conditions precedent and concurrent to such registration; prohibiting the offer or sale of any unregistered security; requiring the registration of securities; and establishing the conditions precedent and concurrent to such registration; establishing the fees in connection with the registration of securities, securities dealers, and securities salesmen; setting out the grounds upon which a registration of securities may be denied, suspended, or revoked; defining certain terms as used in this Act; exempting certain securities from registration under the provisions of this Act; exempting certain transactions from certain provisions of this Act; requiring the filing of a consent to service of process by securities dealers and salesmen and certain issuers; making it

unlawful to file any false document or material and providing the punishment therefor; giving to the Securities Commissioner authority to investigate and subpoena witnesses and records in connection with investigations; granting authority for an examination fee and deposit to defray the expense of any investigation of an applicant under this Act; giving to the Securities Commissioner authority to enjoin acts in violation of this Act; creating criminal penalties for violations of this Act; establishing civil liabilities for the violation of the provisions of this Act; providing for judicial review of the orders of the Securities Commissioner; providing for the administration of this Act by the Securities Commissioner; directing said Commissioner to appoint an Assistant Commissioner and giving said Commissioner authority to apopint other personnel to carry out the purpose and intent of this Act; providing that any exemption under this Act must be proved by the person claiming said exemption; making the provisions of this Act severable; repealing the present Alabama Securities law and related legislation; giving to the Commissioner authority to issue warning to the public with respect to securities; making the sale of securities by an insolvent issuer unlawful; providing that all filing and registration fees shall be paid into the General Fund of this state and establishing the effective date of this Act.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Callahan et al (with amendment):

H. 760. To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of the taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the state treasury.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Callahan et al:

H. 762. To authorize the sale and issuance of not exceeding $3,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of constructing and equipping a hospital building to constitute a part of the University of Alabama Medical Center and to be used for the care and treatment of mental patients and for training of medical students in the field of mental illness; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary for those portions of the state taxes on the sale of spirituous or vinous liquors and of the state license taxes on those selling, storing or receiving for distribution malt or brewed beverages that are required by law to be paid into the Alabama Special Mental Health Fund; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make

provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

By Mr. Callahan et al:

H. 765. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding $3,000,000 principal amount of General Obligation Bonds of the State of Alabama for construction and equipment of a hospital building for mental patients to constitute a part of the University of Alabama Medical Center.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Goodwyn, Pierce and Smith (Russell):

H. 475. To amend Section 1 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

By Messrs. Ramey and Martin:

H. 537. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945, who declined membership in the Employees' Retirement System of Alabama in the manner prescribed in Section 3 of Act 515 approved July 9, 1945, and who retires with a minimum of fifteen years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Control of the Employee's Retirement System under the provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 571 approved September 18, 1957 relating to certain benefits to retired state employees, and to provide the appropriation necessary to carry out the provisions of this act.

By Mr. Robison:

S. 336. To amend Section 2, Item III, B (4) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

By Messrs. Camp and Nichols:

H. 651. To make additional appropriations to the Alabama Institute for Deaf and Blind for each of the fiscal years ending September 30, 1960, and September 30, 1961.

By Mr. Caffey:

S. 384. To authorize the department of conservation to pay from funds appropriated or available to it the state's share of the operating expenses of the Gulf States Marine Fisheries Commission.

By Mr. Givhan;

S. 404. To amend Section 1 of Act No. 486, H. 765, approved July 9, 1943, an act providing for the appointment of a board of trustees to acquire, maintain, and protect certain properties and objects of historical interest located at the first permanent seat of government of the State of Alabama at Cahaba in Dallas County; (General Acts 1943, p. 449), so as to provide for the appointment of two additional members of the board of trustees of the Cahaba Historical Commission.

By Mr. Eddins:
S. 376. Relating to the fees and compensation of coronors; amending Sections 94 and 95 of Title 11, Code of Alabama 1940.

By Messrs. Gilmer, Hain and Hardy:
H. 703. To make an appropriation to the Cahaba Historical Commission.

By Mr. Torbert:
H. 596. To regulate further the sale, issuance, and redemption of trading stamps in the State of Alabama, to define trading stamps and trading stamp companies, to provide for the registration and filing of a performance bond by trading stamp companies with the Secretary of State, to prescribe the manner of redemption of trading stamps, to prescribe the power, duties and authority of the State Department of Revenue in the administration and enforcement of this Act, to provide for the licensing of trading stamp companies and to provide for the payment of privilege and license taxes in Alabama by trading stamp companies, to prescribe penalties for the violation of the provisions of this Act; and to repeal all laws in conflict herewith and also to repeal the provisions of Title 57, Section 114, and Title 51, Section 606, Code of Alabama 1940, as amended, and Act 110 (H. 182), approved February 14, 1956 (Acts of Alabama, 1956, V. 1, P. 166).

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Nichols, McLendon (Bullock) and Powell (with amendment):
H. 335. To make further provision regarding the taxation affecting motor fuel, as defined in this Act, sold to, or withdrawn from storage or used in this State by motor carriers, as defined in this Act, including the imposition of an excise tax measured by the qquantity of motor fuel used by such motor carriers in their operations in this State; the definition of the terms motor vehicle, motor carrier, operations, motor fuel, Commissioner, gasoline tax and Diesel fuel tax, as used in this Act; the fixing of the amount of such tax and provision for the collection thereof; provision for credit upon such tax for payment of the gasoline tax and the Diesel fuel tax and, in certain cases, provision for refunds of the gasoline tax and the Diesel fuel tax, if proper bond be given; provision for an audit of the records of applicants for refunds; provision for penalties for the violation of this Act; provision for the costs of administration of this Act; provision for the disposition of the proceeds of the tax imposed by this Act; provision for the making of reports by all motor carriers subject to this Act and for joint reports by certain of such motor carriers; provision for sales of motor fuel, as defined in this Act, to motor carriers duly reporting pursuant to this Act by a distributor or storer without liability for the gasoline tax or the Diesel fuel tax if such motor carrier has given bond in such amount as may be required by the Commissioner to secure the payment of the tax imposed by this Act; authorizing the Commissioner of the State Department of Revenue to promulgate rules and regulations with respect to the enforcement of the provisions of this Act; provision for reciprocal agreements with other states; provision for the modification and repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; the fixing of the effective date of this Act; and generally, provision for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto.

By Messrs. Glass and Taylor (with amendment):

H. 289. To amend further Section 611 of Title 51, Code of Alabama 1940, relating to the privilege license taxes payable by transient vendors and peddlers; providing that the payment of one state license authorizes certain vendors or peddlers to engage in business in any county in the state upon the payment of a county license in each county where they do business.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dumas:

S. 419. To create, establish, or designate in any county in this State having a population of more than 500,000 inhabitants, according to the last or any subsequent Federal decennial census, a Domestic Relations Division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with certain officers, and prescribing their duties, authority and compensation; regulating its procedure; creating one additional circuit judgeship and providing for the election of the incumbent thereof in any such county; abolishing the office of the Judge of the Juvenile or Juvenile and Domestic Relations Court in any counties; and providing that one of the Judges of the Domestic Relations Division of the Circuit Court shall be ex officio Judge of the Juvenile or Juvenile and Domestic Relations Court as it is now or may hereafter be constituted in any such county.

By Mr. Caffey:

S. 378. To provide for the reimbursement to Mobile County of certain sums erroneously paid by the tax collector of such county into the state treasury instead of the treasury of Mobile County; and to make an appropriation for this purpose.

Mr. de Graffenried, Chairman of the Standing Committee on Banking reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gilchrist et al (with amendment) (without recommendation):

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

By Mr. Porter (with amendment) (without recommendation):

S. 347. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of one thousand dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

By Mr. Turner (with amendment) (without recommendation):

S. 364. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms,

and corporations engaged in the business of lending money in amounts of one hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Mr. de Graffenried, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Barnett (without recommendation):

S. 360. To amend further the act approved June 23, 1945 (Act No. 159, H. 233, General Acts 1945, p. 200) regulating the business of lending money in amounts of $300 or less, so as to make it a misdemeanor for a licensee under the Act to charge interest at a rate in excess of eight percent per annum, and to provide the punishment therefor.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, it was read a second time and placed on the calendar, to-wit:

By Messrs. Brewer and Gilchrist (with amendment):

H. 735. Relating to counties having a population of not less than 50,000 nor more than 60,000 inhabitants, according to the last or any subsequent federal decennial census who elect to come under the provisions of this Act as hereinafter provided; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary of the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Branyon and Self (with notice and proof):

H. 814. To alter, extend and rearrange the boundary line and corporate limits of the Town of Glen Allen in Marion and Fayette Counties, Alabama.

By Mr. Speaks (with notice and proof):

H. 812. To levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties.

By Messrs. Goodwyn, Goldthwaite, Bailey and Pierce:

H. 828. To encourage and promote medical and scientific research and the establishment of medical research facilities, and the development of scientific research devices, by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees, charges and limitations, in all counties having a population of not less than 125,000 nor more than 225,000, according to the most recent federal decennial census.

By Mr. Ray (with notice and proof):

H. 832. To repeal Act No. 336 of the Regular Session of the Legislature of Alabama of 1951, entitled "An Act Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951 (Acts of Alabama, 1951, page 624.)

By Mr. Ray (with notice and proof):

H. 833. To authorize, direct, and require the state department of revenue to collect any sales and use taxes which may be levied in the municipality of Double Springs, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said municipality; to prescribe the power, duties, and authority of the state department of revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

By Mr. Ray (with notice and proof):

H. 834. To create and establish a single governing body in and for Winston County, to be known as the Board of Revenue of Winston County, Alabama, to be composed of three members, one of whom shall be chairman of said Board; to provide for the selection and election of the chairman and associate members of said Board; to fix their qualifications and term of office; to fix their compensation and prescribe the funds from which it may be paid; to define and prescribe the jurisdiction, power, and authority of said Board of Revenue, its chairman, and its members, and to repeal all laws, local and general, in conflict herewith.

By Mr. Ramey (with notice and proof):

H. 837. To levy additional county privilege license and exercise taxes for public school purposes in Hale County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented;

providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 86, H. 388, approved June 21, 1957 (Acts 1957, vol. I, pp. 127-130).

By Messrs. Callahan and Ferguson (with notice and proof):

H. 854. To create in the City of Tuscaloosa, Alabama, a fund to be known as Firemen's and Policemen's Pension and Relief Fund for the benefit and relief of disabled, sick, retired and other members of such fire and police departments and the widows, certain of the minor children and dependent widowed mothers of certain deceased members of the fire and police departments, and to provide for the use, management, control, and administration of such funds; to provide for the raising of such funds and the sources thereof; to provide for the payment into such fund of a proportion of the monthly salary of such members of the fire department and police department of such city as are eligible to participate in the benefits of such fund; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies including mutual and industrial fire insurance companies, doing business within such city, and for making a sworn report by such fire insurance companies of such premiums to the Board of Trustees of such fund, and to prescribe the penalty for failure to make such payments and report, and for enforcing such penalty; to provide for sworn statements to be made to the city clerk by all persons, firms, or corporations which conduct a fire insurance agency or brokerage business within such city, and to prescribe the penalty for failure to make and file such statements and for enforcing such penalty; to provide for the payment into such fund certain witness fees and certain rewards and gratuities received by firemen and policemen; to provide for the payment into such fund of all liquor seizure fees and all amounts received by the City from the Alcohol Beverage Control Board for confiscated liquors; to authorize the Board of Trustees to accept money and property for said funds; to authorize the governing body of such city to make appropriations to such fund out of the city treasury; to create in such city a Board of Trustees of such Firemen's and Policemen's Pension and Relief Fund; to provide for the transfer of all monies, securities, property, assets, and things of value in any Firemen's and Policemen's Fund in the City heretofore created to the jurisdiction and control of the Board of Trustees created under this Act; to provide for the organization of such Board of Trustees and to designate certain members of said Board and provide the time and method of electing the remaining members thereof and their term of office; to designate and provide for the selection of officers and agents of said Board; to declare the said Board of Trustees the trustees of such fund; to prescribe the powers, authority and duties of such Board of Trustees, its officers and agents; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department and police department and the widows, certain minor children, and dependent widowed mothers of certain deceased members thereof; to provide for the retirement and reinstatement of members of such fire and police departments; to prescribe the duties of the city attorney and city physician in connection with said Board of Trustees and said funds; to provide for medical examination and diagnosis of the physical and mental condition of such members of fire and police departments; to provide that no person shall have any vested or contractual rights in said fund, but that such fund shall be held subject to the power of the Legislature; to designate the treasurer of such fund and his duties; to provide that said fund and all benefits received

therefrom shall be exempt from levy, execution, garnishment, attachment or seizure of any kind.

By Mr. Avery (with notice and proof):

H. 859. to alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

By Mr. Godfrey (with notice and proof):

S. 409. To provide for returning to the court of county commissioners, board of revenue, or other like governing body of Cherokee County, jurisdiction, supervision, and control over the establishment, construction, reconstruction, maintenance, and repair of county roads and bridges; repealing Act No. 261, H. 808, approved August 23, 1955, providing for the construction, maintenance, and repair of the roads and bridges of Cherokee County by the state highway department (Acts 1955, Vol. I, pp. 606-609).

By Mr. Farmer (with notice and proof):

S. 412. To provide for the education or training of deputies sheriff or the sheriff in Houston County, Alabama at the Alabama Police Academy or to similar schools of training and for payment of expenses incident thereto.

By Mr. Caffey (with notice and proof):

S. 418. To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts, 1949, Page 536, entitled: "To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

Mr. Leonard, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Pierce et al:

H. 721. To amend further Section 30½ of the act approved September 20, 1957, regulating the practice of cosmetology (Act No. 653, H. 489, Acts 1957, Vol. II, p. 981).

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Bevill and Shumate (with notice and proof):

H. 830. To provide for the appointment, tenure, and compensation of a stenographic secretary for the judge of the county court of Walker County.

By Messrs. Bevill and Shumate (with notice and proof):

H. 856. To abolish the office of comptroller of Walker County, and establish in lieu thereof a county depository; and to provide for the performance of certain duties relative to county funds by the county depository and other ruties relative thereto by the Board of Finance and Control of Walker County and the President thereof, or any other like governing body of such county and its presiding officer.

By Mr. Edwards et al:

H. 822. To apply in and only in counties in Alabama having a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census, and to empower and authorize the County Commission, board of revenue, or like governing body of all such counties to authorize and approve a monetary allowance not to exceed the sum of Six Hundred Dollars annually, payable in monthly installments, to be made to the Judge of Probate in such county for and on account of the use of an automobile owned or controlled by such Judge of Probate in the event such automobile is used by such Judge of Probate partially or entirely in connection with the performance of his official duties as such Judge of Probate, which sum shall include any other expenses incurred by such Judge of Probate in travelling in his official duties.

By Mr. Sessions et al (with notice and proof):

H. 861. To alter and re-arrange the boundary lines of the City of Homewood, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Mr. Shelton, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

My Messrs. Cooper and Hines (with amendment):

S. 414. Relating to schools; to provide for a state tenure commission to determine appeal cases under the teacher tenure law, to provide for the appointment of members and their compensation, and to define the jurisdiction of the commission.

Mr. Shelton, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Andrews, Hines, Eddins, Robison, Wilson, Wyatt, Berryman, Green, Gaither, Graham, Jones, Webb, Moses, Cooper, Rutledge and Golson (with substitute):

S. 316. To implement the powers of the Governor as conservator of the peace and to authorize the Governor to close any school, trade school, or institution or any branch or department thereof under the control of the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Institute for Deaf and Blind or the State Board of Education; and to provide for the effective date of this Act.

By Messrs. Andrews, Robison, Eddins, Wilson, Berryman, Graham, Webb, Hines, Givhan, Golson, Green, Wyatt, Moses, Clark, Jones, Farmer, Cooper, Samford, Leonard, Roberts, Gaither, Porter and Rutledge (with substitute):

S. 317. To implement the power of the Governor as conservator of the peace throughout the State; to define such powers with respect to the operation of public schools; to prevent violence and disorder in connection with the operation of public schools; to provide for the closing of public schools and for the education of pupils from such schools; to con-

fer power upon the Governor with respect to such schools; and to provide for the effective date of this Act.

Mr. Godfrey, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ashworth:
H. 521. To designate certain space on the second floor of the Capitol for the use of the Legislature and the Committees, members, officers and employees thereof.

Mr. Leonard, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Crawford:
S. 310. To amend Section 106 of Title 22 of the Code of Alabama of 1940; to amend further Sections 107, 110, 111 and 113 of Title 22 of the Code of Alabama of 1940, as heretofore amended, all of which relate to the inoculation of dogs against rabies.

Mr. Porter, Vice-Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Green:
S. 359. To provide for the licensing and operation of privately owned shooting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Mr. Haltom, Acting Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hocklander and Murphy (with substitute):
H. 75. To amend Section 77 of Title 38 of the Code of Alabama of 1940, as amended, which relates to the pay of pilots.

Mr. Haltom, Acting Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hocklander and Murphy:
H. 77. To amend Section 81 of Title 38, Code of Alabama 1940, in relation to the pay of bar pilots.

ORDER TO PRINT

On motion of Mr. Haltom, 500 copies of the Bill, S. B. 1, were ordered printed for the use of the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. Faulk:
H. 446. Relating to primary elections; amending Section 357 of Title 17, Code of Alabama 1940; providing that watchers at polling places must be sworn at the same time as election officers, and that watchers must be qualified to vote in the county.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 446 — to the Committee on Privileges and Elections

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 595. Relating to the municipality of the City of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

Also:

H. 712. TO AMEND SECTION 797, TITLE 37, OF THE 1940 CODE OF THE STATE OF ALABAMA, AS AMENDED BY ACT NO. 421 OF THE 1949 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA (GENERAL ACTS, 1949, p. 597).

Also:

H. 783. To amend Section 4 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 approved September 12, 1951 (Acts 1951, page 1579) as amended by Act No. 194 of the 1955 session of the Legislature of Alabama (Acts 1955, page 478) entitled "AN ACT to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the board of health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

H. 810. TO FIX AND REQUIRE THE PAYMENT OF FEES AND COSTS IN EACH CASE FILED IN THE JEFFERSON COUNTY CIVIL COURT; TO REQUIRE THAT ALL SUCH FEES BE PAID INTO THE COUNTY TREASURY OF JEFFERSON COUNTY; AND TO PROVIDE THE EFFECTIVE DATE OF THIS ACT.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 637. To apply in all counties having a population of not less than 25,725 nor more than 25,875, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county.

Also:

H. 654. Relating to Mobile County; authorizing and directing the board of revenue and road commissioners of the county to establish and maintain a special fund to be used and expended by the sheriff of the county in law enforcement and in the conduct of his office; and regulating the disbursement of the moneys in this fund.

Also:

H. 674. Relating to the establishment, construction, reconstruction, repair, and maintenance of roads and bridges in all counties having a population of not less than 41,000 nor more than 47,000, according to the last or any subsequent federal decennial census; providing for a referendum election to determine whether the state or the county will have and exercise jurisdiction, supervision, and control over county roads and bridges.

Also:

H. 691. To regulate the compensation of the solicitor of Autauga County; amending Section 5 of Act No. 77, H. 325, approved July 7, 1947 (Local Acts 1947, p. 55).

Also:

H. 692. To provide for the repair, maintenance, and servicing of motor vehicles, automotive equipment, and machinery used in the construction and maintenance of public roads and bridges in Autauga County.

Also:

H. 704. TO alter and re-arrange the boundary lines of the City of Brewton, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Also:

H. 710. TO AUTHORIZE THE HEALTH OFFICER OF ANY COUNTY OF THIS STATE HAVING A POPULATION OF 500,000 OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS TO OBTAIN, PERFORM OR REQUIRE AN AUTOPSY ON OR INTERNAL EXAMINATION OF THE BODY OF ANY PERSON WHOSE DEATH THE SAID HEALTH OFFICER HAS REASON TO BELIEVE WAS CAUSED BY COMMUNICABLE DISEASE OR OTHER CAUSE RELATED TO THE PROTECTION OF THE PUBLIC HEALTH; TO AUTHORIZE THE SAID HEALTH OFFICER TO MAKE ALL NECESSARY AND REASONABLE ORDERS TO SECURE AND FACILITATE THE MAKING OF SUCH AUTOPSY OR INTERNAL EXAMINATION; TO PROVIDE THAT IT SHALL BE A MISDEMEANOR FOR ANY PERSON TO IMPEDE, INTERFERE WITH OR OBSTRUCT THE SAID HEALTH OFFICER IN HIS MAKING OR PERFORMING ANY SUCH AUTOPSY OR EXAMINATION, OR TO IMPEDE, INTERFERE WITH OR OBSTRUCT ANY OTHER PERSON IN MAKING OR PERFORMING SUCH AUTOPSY OR EXAMINATION AT THE REQUEST OF THE SAID HEALTH OFFICER; AND TO PROVIDE FOR THE PAYMENT OF EXPENSES RELATING TO SAID AUTOPSY OR INTERNAL EXAMINATION.

Also:

H. 711. To provide for the relief of Lula Braxton, out of the general funds of the City of Birmingham, a municipality, Jefferson County, Alabama.

Also:

H. 736. To Amend further Act No. 415, H. 665, approved September 24, 1919, as amended and revised by Act No. 66, H. 261 (Local Acts of Alabama, 1947, page 46) and as thereafter further amended, which established the Morgan County Court in order to authorize the judge of such court to fix, within a prescribed maximum, the salary of the reporter for such court and to give the Act retroactive effect.

Also:

H. 737. To amend further Section 4 of Act No. 70, H. 346, approved May 28, 1943 (Local Acts of Alabama, 1943, p. 34), which placed the judge of probate of Morgan County on a salary, prescribed certain duties of the judge of probate, and provided for clerical assistance, office space, supplies, and equipment necessary for the operation of his office; providing further for the clerk-hire allowance of the judge of probate.

Also:

H. 738. To amend further Act No. 437, H. 937, approved August 17, 1951 (Acts of Alabama, 1951, page 789) as amended, which fixes the compensation of members of the Board of Revenue and Control of Morgan County.

Also:

H. 739. To authorize and provide for the establishment, maintenance, operation and financing of a public law library in Morgan County, Alabama.

Also:

H. 740. To amend further Act No. 415, H. 665, approved September 24, 1919, the act that established the county court for Morgan County (Local Acts 1919, p. 194), in relation to the compensation of the register of the circuit court of Morgan County for ex officio services performed in said court.

Also:

H. 741. To amend further Sections 1 and 3 of Act No. 361, H. 878 (Local Acts of Alabama, 1939, p. 248), which fixed the compensation or salary to be paid the Tax Assessor of Morgan County, provided clerical assistance, supplies and equipment for his office, and prescribed certain duties of the tax assessor.

Also:

H. 742. To alter, rearrange, and redefine the boundaries of the four subdivisions of Morgan County heretofore designated as districts for certain purposes prescribed by law.

Also:

H. 743. To amend further Sections 1 and 3 of Act No. 464, H. 879, approved September 15, 1939 (Local Acts of Alabama, 1939, P. 278), which fixed the compensation or salary to be paid the tax collector of Morgan County, provided clerical assistance, supplies and equipment for the conduct of his office, and prescribed certain duties of the tax collector.

Also:

H. 772. Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

Also:

H. 781. FOR THE RELIEF OF V. CHAMBLISS AUTHORIZING THE COUNTY COMMISSION OF JEFFERSON COUNTY, ALABAMA, TO MAKE AN APPROPRIATION FROM THE COUNTY TREASURY TO COMPENSATE V. CHAMBLISS FOR CERTAIN DAMAGES.

Also:

H. 784. FOR THE RELIEF OF MRS. E. H. GOLDEN AND L. L. TRYON, AUTHORIZING THE COUNTY COMMISSION OF JEFFERSON COUNTY, ALABAMA, TO MAKE AN APPROPRIATION FROM THE COUNTY TREASURY TO COMPENSATE THE SAID GOLDEN AND TRYON FOR CERTAIN DAMAGES.

Also:

H. 785. Relating to game and fish in Lawrence County; to prohibit the use of gill nets, hoop nets, and trammel nets in taking, captur-

ing, or killing fish in public waters anywhere in Lawrence County; prescribing penalties.

Also:

H. 796. To permit any bank now or hereafter having a combined or paid-in capital and paid-in or earned surplus of more than $500,000 and having an authorized office or place of business in Decatur, Alabama, to establish, maintain and operate additional offices or places of business in such city or the police jurisdiction thereof, with the approval of the Superintendent of Banks.

Also:

H. 803. To amend Sections 1, 3, and 4 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; altering, modifying, and changing the rates of tax provided for therein and extending the applicability of such taxes to certain sales and to the storage, use, or other consumption of certain property within Tuscaloosa County heretofore exempt, and redefining certain terms.

Also:

H. 622. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Shelby County.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 186. To amend the act approved August 1, 1951 making it a misdemeanor for any person, firm, or corporation to take, carry, transport, or remove a dead human body from within the confines of this State unless the same has been embalmed or cremated (Act No. 320, S. 287, Acts 1950-1951, Vol. I, p. 612).

Also:

H. 234. To amend Section 37 of Title 36, Code of Alabama (1940), which prohibits the operation of certain motor vehicles on the highways unless equipped with a mirror so located as to reflect to the driver a view of the highway to the rear of the vehicle, by requiring every motor vehicle operated on the highways to be equipped with such a mirror.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 707. To levy county sales and use taxes for public school purposes in Greene County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; to provide penalties for violations of the Act; to supersede and repeal Act No. 24, H. 15, approved February 19, 1959.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill.

H. 690. Relating to the purchase of supplies, materials, equipment, and contractual services, and the sale or exchange of property, by or for Autauga County; providing for competitive bidding on certain contracts, purchases, sales, and exchanges; prescribing penalties.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business for today, which was the Bill:

S. 175. To amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An Act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts Alabama, Regular Session, 1953, p. 549), and to provide the time when the amendment shall become effective.

On motion of Mr. Shelton, the Senate reconsidered the vote by which the Bill, S. B. 175, was ordered to its third reading.

Mr. Haltom then offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 175

In Section 1, strike out the paragraph beginning with the words and figures "Section 3.", and insert the following:

"Section 3. The salary of each such law clerk shall not be in excess of four thousand eight hundred dollars ($4,800.00) annually, to be fixed by the chief justice or associate justice employing him, and shall be paid in semi-monthly installments out of the general funds of the state as other state employees are paid."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Jones	Samford	
Archer	Farmer	Kendall	Shelton	
Berryman	Gaither	Leonard	Webb	
Cooper	Godfrey	Porter	Wilson	
Crawford	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Samford	
Andrews	Eddins	Kendall	Shelton	
Archer	Farmer	Leonard	Webb	
Berryman	Gaither	Moses	Wilson	
Cooper	Godfrey	Porter	Word	
Crawford	Green	Robison	Wyatt	
deGraffenried	Haltom	Rutledge		—26

Nays: —0

The Bill:

S. 178. To amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and the associate judges of the Court of Appeals, to prescribe their duties and fix their compensation" (General Acts Alabama, Regular Session 1953, p. 979, and to provide the time when the amendment shall become effective.

was taken up.

Mr. Haltom offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 178

In Section 1, strike out the paragraph beginning with the word and figures "Section 3." and insert in lieu thereof the following:

"Section 3. The salary of each such law clerk shall not be in excess of four thousand eight hundred dollars ($4,800.00) annually, to be fixed by the presiding judge or associate judge employing him, and shall be paid in semi-monthly installments out of the general funds of the state as other state employees are paid."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Kendall	Samford	
Andrews	Farmer	Leonard	Shelton	
Archer	Gaither	Porter	Webb	
Berryman	Godfrey	Roberts	Wilson	
Cooper	Haltom	Robison	Word	
Crawford	Jones	Rutledge	Wyatt	
deGraffenried				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dumas	Kendall	Samford	
Archer	Farmer	Leonard	Webb	
Berryman	Gaither	Porter	Wilson	
Cooper	Godfrey	Roberts	Word	
Crawford	Haltom	Rutledge	Wyatt	
deGraffenried	Jones			—21

Nays: —0

MESSAGE FROM THE GOVERNOR

October 9, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

With reference to my message of September 25, 1959, submitting the names of certain appointees to the Board of Trustees of Alabama Polytechnic Institute for confirmation by the Senate, please delete the name of Honorable Owen Reeder, Luverne, Alabama, from the Second Congressional District, for the term expiring in January, 1971. Mr. Reeder has declined to serve.

I have made the following appointment to the Board of Trustees of Alabama Polytechnic Institute, subject to your confirmation, to replace the Honorable Owen Reeder who has declined this appointment:

Honorable John W. Overton, Montgomery, Alabama, Second District, For the term expiring in January, 1971.

Respectfully,

JOHN PATTERSON,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution:

S. J. R. 29. Relative to the death of Honorable William Ora Walton.

and returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 275. To provide for naming certain bridges by the State Highway Department.

was taken up.

Mr. Godfrey offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 275

In Section 1, strike out "Leesburg Memorial Bridge," and insert "Cherokee County Memorial Bridge,"

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Samford	
Andrews	Eddins	Kendall	Shelton	
Archer	Farmer	Leonard	Webb	
Berryman	Gaither	Moses	Wilson	
Cooper	Godfrey	Porter	Word	
Crawford	Green	Roberts	Wyatt	
deGraffenried	Haltom	Rutledge		—26

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Samford	
Andrews	Eddins	Kendall	Shelton	
Archer	Farmer	Leonard	Webb	
Berryman	Gaither	Moses	Wilson	
Cooper	Godfrey	Porter	Word	
Crawford	Green	Roberts	Wyatt	
deGraffenried	Haltom	Rutledge		—26

Nays: —0

The Bill:

H. 594. To amend Section 2 of the act entitled "An Act to raise revenue; levying a provilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented," which becomes effective October 1, 1959.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE
AMENDMENT TO H. B. 594

Amend the bill, House Bill 594, by deleting the last sentence in Section 2, sub-paragraph (a) and inserting in lieu thereof the following:

"Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10c) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10c) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied."

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Eddins	Jones	Samford	
Archer	Farmer	Kendall	Wilson	
Cooper	Gaither	Leonard	Word	
Crawford	Godfrey	Porter	Wyatt	
deGraffenried	Green	Roberts		—22

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Eddins	Jones	Samford	
Archer	Farmer	Kendall	Webb	
Cooper	Gaither	Leonard	Wilson	
Crawford	Godfrey	Moses	Word	
deGraffenried	Green	Roberts	Wyatt	
				—23

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 657. To amend Act No. 496, H. 930, approved September 3, 1953 (Acts of Alabama, 1953, page 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 707. To levy county sales and use taxes for public school purposes in Greene County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; to provide penalties for violations of the Act; to supersede and repeal Act No. 24, H. 15, approved February 19, 1959.

Also:

H. 690. Relating to the purchase of supplies, materials, equipment, and contractual services, and the sale or exchange of property, by or for Autauga County; providing for competitive bidding on certain contracts, purchases, sales, and exchanges; prescribing penalties.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

S. 357. To authorize and encourage joint action and cooperation between cattle raisers, cattle dealers and other handlers of cattle for the purpose of stabilizing, protecting, and promoting the cattle and beef industry in Alabama; recognizing the Alabama Cattlemen's Association as the representative and agent of the cattlemen of the state for the purpose of initiating and conducting certain programs designed to stabilize, protect and promote the cattle industry; authorizing providing for and regulating the levying and collection of assessments on sales of cattle to provide funds to finance such programs; placing cer-

tain duties relative to such assessments on the commissioner and the department of agriculture and industries; providing for a refund of any assessment collected under authority of this act to any cattleman who is dissatisfied with the levy thereof; and prescribing penalties.

was taken up.

Mr. Cooper offered the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 357

Amend Senate Bill 357 by striking out all of Section 3 thereof and substitute therefor the following:

Section 3. The Board of Directors of the Alabama Cattlemen's Association is hereby authorized to determine the sentiment of cattle producers in the State of Alabama as to whether such cattle producers favor an assessment levied upon themselves to be deducted from the price of cattle and calves which they sell with the proceeds derived therefrom to be used for promoting a program for any one or all of the purposes enumerated in Section 2 of this Act. To determine the sentiment and desire of cattlemen in Alabama upon such a qquestion the Alabama Cattlemen's Association shall hold and conduct a referendum wherein all cattle producers may vote upon the question of levying upon themselves an assessment as herein authorized with the amount of the assessment to be specified in the referendum and such referendum shall be conducted on a state-wide basis through each county cattlemen's association to the end that all producers of cattle and calves may be given an opportunity to vote in the referendum. Each county cattlemen's association in conducting the referendum shall secure the services, advice and assistance of the county agricultural extension agent in giving publicity to the referendum and other matters relating thereto to the end that all cattle producers may be given an opportunity to vote in the referendum. The Board of Directors of the Alabama Cattlemen's Association shall determine the date or dates, place and method of conducting such a referendum, together with the amount of the assessment by uniform rules and regulations adopted for this purpose. After the referendum is held in each county the president of the county cattlemen's association shall certify the results thereof to the Alabama Cattlemen's Association and upon receipt of such results the Board of Directors of the Alabama Cattlemen's Association shall tabulate the total vote and if it is found that a majority of cattle producers in the State of Alabama who have voted in the referendum favor the levying of an assessment upon themselves in the amount specified in the referendum the Board of Directors of the Alabama Cattlemen's Association shall notify the Commissioner of Agriculture and Industries to the end that he may proceed to collect the assessment in the manner set forth in Section 4 and 5 of this Act. No assessment levied hereunder shall exceed 10c per head on any head of cattle or calves sold by cattle producers and no assessment shall be levied or deducted from the sale price of any cattle or calves which sell for less than $10.00 per head. The period of time for which an assessment shall continue in effect shall be specified in the referendum but such period shall not exceed five years.

The Board of Directors, upon the expiration of the period for which an assessment is made, shall be authorized to hold another referendum at the end of each such period during which the assessment is levied in order that it may be determined whether cattlemen of the State desire to continue the assessment provided such referendum shall be conducted by vote of the cattlemen in the manner heretofore set

forth. In the event any referendum conducted hereunder shall result in a vote of less than a majority of the cattlemen voting in such referendum favoring the assessment, then the Alabama Cattlemen's Association shall be authorized to call another referendum as authorized hereunder and for the purposes herein set forth after a period of twelve months shall have elapsed since the last referendum. Whenever, in the opinion of the Board of Directors, funds derived from assessments are no longer needed for the purpose for which they are levied the Board of Directors may discontinue such assessment.

Such Board of Directors, with the approval of the Commissioner of Agriculture and Industries, is authorized to make such rules and regulations, not in conflict with this Act, as are needed to effect the purposes of this Act, but before any such rules shall become effective a copy thereof must be filed with the Commissioner of Agriculture and Industries and a copy thereof must be published in a newspaper of general circulation in the area thereby affected, or if such rules will affect the whole State, then in three newspapers of general circulation in the State.

Further amend Senate Bill 357 by striking out all of Section 4 of said bill and substitute therefor the following:

Section 4. Immediately after the Board of Directors of the Alabama Cattlemen's Association determines that the required number of cattle owners approve of levying the assessment and fixes the amount or rate of such assessment the secretary of such Association shall notify the Commissioner of Agriculture and Industries that such levy has been approved and the amount thereof fixed. Within thirty days after receiving such notice from the Alabama Cattlemen's Association the Commissioner of Agriculture and Industries shall notify in writing every person licensed to operate a livestock market, pursuant to Act No. 173 of the Legislature of 1951, and the Commissioner of Agriculture and Industries shall also notify every person who operates a meat packing or slaughter establishment who buys cattle or calves directly from the producer, that on and after the date designated in such notice, which shall be not less than thirty nor more than sixty days after the mailing of such notice by the Commissioner, assessments shall be deducted by all handlers of cattle and calves, either or both, or by their agents or representatives, from the purchase price paid to the sellers of such cattle or calves. The notice shall also state that each such handler shall on or before the tenth day of each calendar month remit to the Commissioner of Agriculture and Industries all assessments so deducted by him during the previous month from the purchase price of cattle or calves, less three per cent thereof, which he may retain to compensate him for the trouble and expense of collecting and remitting such assessment.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Samford
Andrews	Dumas	Jones	Shelton
Archer	Eddins	Kendall	Webb
Berryman	Gaither	Leonard	Wilson
Cooper	Godfrey	Moses	Word
Crawford	Green	Robison	Wyatt

—23

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	deGraffenried	Jones	Shelton	
Andrews	Dumas	Kendall	Webb	
Archer	Gaither	Moses	Wilson	
Berryman	Godfrey	Porter	Word	
Cooper	Golson	Robison	Wyatt	
Crawford	Haltom	Samford		—22

Nays: —0

The Bill:

H. 254. To amend further Section 25 of Title 36, Code of Alabama 1940, which relates to the stopping of motor vehicles upon the paved or main traveled portion of a highway.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

JUDICIARY COMMITTEE AMENDMENT TO HOUSE BILL 254

To amend House Bill 254 by adding after the word highway in the 17th line of Subsection (c) of Section 1 the following words:

"and if a flashing red light not less than 4" in diameter with the letters STOP printed thereon is attached to the rear of such vehicle and a uniform sign not less than 14" in diameter, approved by the Department of Public Safety, with the words printed thereon, U. S. MAIL, WATCH FOR STOPS, is attached to the rear of such vehicle."

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Rutledge	
Archer	Farmer	Kendall	Samford	
Berryman	Gaither	Moses	Shelton	
Cooper	Godfrey	Porter	Webb	
Crawford	Green	Roberts	Wilson	
deGraffenried	Haltom	Robison	Word	
				—23

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 20; Nay 1.

Yeas:

Messrs.:	deGraffenried	Farmer	Jones
Berryman	Dumas	Gaither	Kendall
Crawford	Eddins	Haltom	Moses

Porter	Rutledge	Shelton	Wilson	
Roberts	Samford	Webb	Word	
Robison				—20

Nay: Mr. Archer —1

The Bill:

S. 284. To amend Act No. 743, H. 150, approved September 23, 1957 (Acts of Alabama, 1957, p. 1173), entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 22; Nays 0.

Yeas:

Messrs.:	Eddins	Kendall	Samford	
Andrews	Farmer	Moses	Shelton	
Berryman	Gaither	Porter	Webb	
Cooper	Golson	Roberts	Wilson	
Crawford	Green	Robison	Word	
Dumas	Haltom	Rutledge		—22

Nays: —0

The Bill:

H. 133. Relating to Department of Revenue, to authorize and direct the Commissioner of the Department of Revenue to allow a discount of two per cent (2%) on the first $5,000.00 of tax paid to the state and of one per cent (1%) on all amounts of tax paid in excess of $5,000.00, not exceeding $200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dumas	Kendall	Rutledge	
Andrews	Farmer	Leonard	Samford	
Berryman	Gaither	Moses	Shelton	
Cooper	Green	Porter	Wilson	
Crawford	Haltom	Robison	Word	
deGraffenried				—20

Nays: —0

The Bill:

S. 350. To make an appropriation from the state treasury for the relief of Hallie S. Chapman.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Samford	
Andrews	Farmer	Moses	Shelton	
Berryman	Gaither	Porter	Webb	
Cooper	Golson	Robison	Wilson	
Crawford	Haltom	Rutledge	Word	
Dumas	Kendall			—21

Nays: —0

The Bill:

H. 32. Relating to county superintendents of education; prescribing the qualifications of such officers; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Farmer	Moses	Samford	
Andrews	Gaither	Porter	Shelton	
Cooper	Golson	Roberts	Webb	
Crawford	Haltom	Robison	Wilson	
Dumas	Kendall	Rutledge	Word	
Eddins	Leonard			—21

Nays: —0

The Bill:

S. 282. Relating to securities; prohibiting fraudulent practices in relation thereto; requiring the registration of securities dealers and salesmen and making unlawful the activities of unregistered securities dealers and salesmen; establishing the conditions precedent and concurrent to such registration; prohibiting the offer or sale of any unregistered security; requiring the registration of securities; and establishing the conditions precedent and concurrent to such registration; establishing the fees in connection with the registration of securities, securities dealers, and securities salesmen; setting out the grounds upon which a registration of securities may be denied, suspended, or revoked; defining certain terms as used in this Act; exempting certain securities from registration under the provisions of this Act; exempting certain transactions from certain provisions of this Act; requiring the filing of a consent to service of process by securities dealers and salesmen and certain issuers; making it unlawful to file any false document or material and providing the punishment therefor; giving to the Securities Commissioner authority to investigate and subpoena witnesses and records in connection with investigations; granting authority for an examination fee and deposit to defray the expense of any in-

vestigation of an applicant under this Act; giving to the Securities Commissioner authority to enjoin acts in violation of this Act; creating criminal penalties for violations of this Act; establishing civil liabilities for the violation of the provisions of this Act; providing for judicial review of the orders of the Securities Commissioner; providing for the administration of this Act by the Securities Commissioner; directing said Commissioner to appoint an Assistant Commissioner and giving said Commissioner authority to appoint other personnel to carry out the purpose and intent of this Act; providing that any exemption under this Act must be proved by the person claiming said exemption; making the provisions of this Act severable; repealing the present Alabama Securities Law and related legislation; giving to the Commissioner authority to issue warnings to the public with respect to securities; making the sale of securities by an insolvent issuer unlawful; providing that all filing and registration fees shall be paid into the General Fund of this state and establishing the effective date of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays0.

Yeas:

Messrs.:	Dumas	Moses	Samford	
Andrews	Eddins	Porter	Shelton	
Archer	Farmer	Roberts	Webb	
Berryman	Gaither	Robison	Wilson	
Cooper	Haltom	Rutledge	Word	
Crawford	Kendall			—21

Nays: —0

The Bill:

H. 672. To amend Section 2, Item III, A (35) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford	
Andrews	Eddins	Kendall	Shelton	
Archer	Farmer	Moses	Webb	
Berryman	Gaither	Porter	Wilson	
Cooper	Golson	Robison	Word	
Crawford	Green	Rutledge	Wyatt	
				—23

Nays: —0

The Bill:

S. 261. To provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to pre-

scribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof.

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

AMENDMENT TO S. B. 261

S. B. 261 is hereby amended in the following respects:

Add to the title of said bill on page one (1) the following after the words "stockholders thereof":

"; to repeal all general acts of this State contained exclusively in Title 10, Code of Alabama 1940, as amended except the following: Title 10, Sections 16, 19 through 21, 48 through 69, 71 through 90, 102, 111 through 188, 198 (1) through 198 (6), and Sections 199 through 263, Code of Alabama 1940, as amended, and except any provisions of Title 48 or Title 51 of the Code of Alabama, 1940, as amended."

In Section 19, in the fourth paragraph thereof, strike out the sentence reading as follows:

"Such certificate shall be filed in the office of the judge of probate of the county in which the corporation was organized; or, if the corporation shall have been created by an act of the legislature prior to the adoption of the Constitution of 1901 or results from a merger or consolidation, such certificate shall be filed in the office of the Secretary of State."

And insert in lieu thereof the following:

"Such certificate shall be filed in the office of the judge of probate of the county in which the corporation was organized, unless the corporation shall have been created by an act of the Legislature prior to the adoption of the Constitution of 1901 or results from a merger or consolidation in which events such certificate shall be filed in the office of the Secretary of State and need not be filed in the office of the judge of probate."

In Section 33. Delete from the next to the last paragraph the words "or so much thereof as shall not be fixed and determined by the certificate of incorporation" and inserting in lieu thereof ". Such resolution may but need not state those restrictive rights and preferences as shall be fixed and determined by the certificate of incorporation."

Strike out Section 90 and renumber the succeeding sections.

Strike out present Section 100 on page 46 of said bill and substitute in lieu thereof the following:

"Section 99. REPEAL OF PRIOR ACTS. Subject to the provisions of Section 100 hereof, all general acts of this State contained exclusively in Title 10, Code of Alabama, 1940, as amended, providing for the organization of corporations for a purpose or purposes for which a corporation might be organized under this Act, which shall have been enacted since the adoption of the Constitution of Alabama of 1875, are hereby expressly repealed. Nothwithstanding the foregoing, this Act shall not be construed as repealing the following: Title 10, Sections

16, 19 through 21, 48 through 69, 71 through 90, 102, 111 through 188, 198 (1) through 198 (6), and Sections 199 through 263, Code of Alabama 1940, as amended, nor any provisions of Title 48 or Title 51 of the Code of Alabama, 1940, as amended, nor Title 10, Section 191 (1) which is Act No. 527, approved September 8, 1953 (1953 Act, p. 735)."

Strike out Section 101 of the present act on page 46 and insert in lieu thereof the following:

"Section 100. EFFECT OF REPEAL OF PRIOR ACTS. The repeal of a prior act by this Act shall not impair, or otherwise affect, the organization or the continued existence of an existing corporation, nor the right of any foreign corporation presently qualified to do business in this state to continue to do so without again qualifying to do business in this state. Nor shall the repeal of a prior act by this Act affect any right accrued or established, or any liability or penalty incurred, or the construction of the certificate of incorporation or charter of any corporation organized before the enactment of this Act, or the determination of the rights and interests of any of its stockholders or creditors, under the provisions of such prior act before the repeal thereof."

Which was adopted.

Yeas 19, Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford	
Andrews	Eddins	Kendall	Shelton	
Archer	Farmer	Moses	Webb	
Cooper	Gaither	Porter	Wilson	
Crawford	Green	Robison	Word	
				—19

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Crawford	Haltom	Webb	
Andrews	Dumas	Porter	Wilson	
Archer	Eddins	Robison	Word	
Berryman	Farmer	Samford	Wyatt	
Cooper	Gaither	Shelton		—18

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate Amendment to the following House Bill:

H. 594. To amend Section 2 of the act entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code

of Alabama 1940, as amended and supplemented," which becomes effective October 1, 1959.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Bailey:

H. J. R. 71. RESOLVED BY THE LEGISLATURE OF ALABAMA, THE SENATE AND HOUSE CONCURRING, That when the two Houses adjourn on Friday, October 16, they will adjourn to meet again on Wednesday, October 21, so as to prevent a conflict between the needs of members and the needs of those persons attending the annual meeting of the Order of the Eastern Star for Hotel accomodations; that when the two Houses adjourn on Friday, October 30, They will adjourn to meet again on Wednesday, November 4, so as to prevent a conflict between the needs of the members and the needs of those persons attending the annual meeting of the Alabama Farm Bureau for Hotel accommodations.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 71, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Boyd and Bassett:

H. J. R. 74. WHEREAS, a beautiful, gracious and talented maid from Pike County, Miss Mildred Nelson, was crowned "Alabama Maid of Cotton for 1960"; and

WHEREAS, this is an honor Miss Nelson richly deserves, for she is not only a beauty but a good student, a singer, an acrobat, a television performer and a young lady of rare charm; now therefore, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING.

That the Legislature of Alabama takes pride in the fact that Alabama will be represented in the National Maid of Cotton Contest by a young lady of Miss Nelson's beauty, grace and poise; commends the judges for the 1960 Alabama Maid of Cotton Contest for their rare discrimination and good judgment in selecting Miss Nelson as Alabama's representative in the National Contest; congratulates Miss Nelson on having been chose to represent Alabama; and extends to her the best wishes of her fellow Alabamians for a happy and eventful reign as "Alabama Maid of Cotton for 1960."

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Miss Nelson and to the Press.

RESOLVED, also, that the two Houses extend to Miss Nelson a cordial invitation to visit the two Houses at such time as may be agreeable to her.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 74, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 657. To amend Act No. 496, H. 930, approved September 3, 1953 (Acts of Alabama, 1953, page 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading therof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Ashworth, Bailey, Goodwyn, Pierce and Goldthwaite:

H. J. R. 72. RESOLVED, That the two house of the Legislature of Alabama mark with great regret and profound sorrow the death of Jacob M. (Jake) Kreis, highly respected state law enforcement officer of many years devotion to public service, and husband of Mrs. Lessie Kreis, able, conscientious, and beloved chief clerk of the House of Representatives. Mr. Kreis died on Wednesday, October 7, 1959, after an extended illness. His passing is deeply mourned, and the sympathy of the two houses is extended the widow and the surviving members of his family on their great loss.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 72, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 29. Mourning the passing of Honorable William Ora Walton and expressing sympathy.

HUGH MOSES,
Chairman

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

Judge William Ora Walton died in Lafayette, Chambers County, October 1, 1959. He was born at Waverly, Tallapoosa County, December 6, 1892, attended Waverly public schools and Birmingham College Training School, and was graduated from Birmingham-Southern College and Cumberland University. He married Lynda Ruth Tatum, of Cincinnati, Ohio, the mother of his two fine sons, William Ora Walton, Jr., and James Richard Walton.

Judge Walton was a brave and distinguished soldier during World War I. Admitted to the Alabama Bar in 1922, he was an outstanding lawyer, a statesman, scholar, and patriot. His years were filled with useful deeds of kindness, of courage, and fidelity to his State and to his fellow men. His passing is deeply mourned.

BILLS ON THIRD READING RESUMED

The Bill:

H. 111. To confer on each incorporated municipality in this state having a population of less than 6,000 inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such incorporated municipality and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such incorporated municipality; to confer on each such incorporated municipality the same powers to assess the cost of any such improvements, whether constructed within the incorporated municipality or outside the municipality and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such incorporated municipality or outside such municipality and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such incorporated municipality of the cost of such improvements constructed in such municipality; to confer on each such municipality the power to finance any such improvements, constructed outside the incorporated municipality and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements.

Was read a third time at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs.:	Eddins	Kendall	Webb	
Archer	Farmer	Porter	Wilson	
Cooper	Gaither	Robison	Word	
Crawford	Golson	Samford	Wyatt	
Dumas	Haltom	Shelton		—18

Nays: —0

The Bill:

S. 267. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof." in relation to the compensation of the court reporters of the Twenty-third Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Samford	
Archer	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Webb	
Cooper	Godfrey	Porter	Word	
Crawford	Golson	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 625. To amend an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 286, H. 828, Acts 1957 Reg. Sess., p. 365) so as to exclude certain territory annexed to the city by said act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Shelton	
Archer	Farmer	Jones	Webb	
Berryman	Gaither	Leonard	Wilson	
Cooper	Godfrey	Porter	Word	
Crawford	Golson	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 626. To amend an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 288, H. 830, Acts 1957 Reg. Sess., p. 367) so as to exclude certain territory annexed to the city by said act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Samford	
Archer	Farmer	Jones	Shelton	
Berryman	Gaither	Leonard	Webb	
Cooper	Godfrey	Porter	Word	
Crawford	Golson	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 696. To provide that clerks of county courts in all counties having a population of not less than 26,000, nor more than 26,600, according to the most recent federal decennial census, may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford	
Andrews	Eddins	Jones	Shelton	
Archer	Gaither	Kendall	Webb	
Berryman	Godfrey	Leonard	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 698. Relating to and providing for the reidentification of electors in Coffee County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Samford
Archer	Gaither	Leonard	Shelton
Berryman	Godfrey	Moses	Webb
Cooper	Golson	Porter	Wilson
Crawford	Green	Roberts	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			

—24

Nays: —0

The Bill:

S. 389. To regulate the duties and compensation of certain deputy sheriffs for Bullock County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Eddins	Jones	Shelton
Archer	Gaither	Kendall	Webb
Berryman	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Green	Roberts	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

S. 398. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide an annual allowance to the sheriff of Talladega County for the purchase of equipment and for the purchase of uniforms for the personnel of the sheriff's department.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Eddins	Golson
Andrews	Crawford	Farmer	Graham
Archer	deGraffenried	Gaither	Green
Berryman	Dumas	Godfrey	Haltom

Jones	Robison	Shelton	Wilson	
Leonard	Samford	Webb	Word	
Porter				—24

Nays: —0

The Bill:

S. 399. To extend, alter and rearrange the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Jones	Samford	
Andrews	Gaither	Kendall	Shelton	
Archer	Godfrey	Moses	Webb	
Berryman	Golson	Porter	Wilson	
Cooper	Green	Roberts	Word	
Crawford	Haltom	Robison	Wyatt	
Dumas				—24

Nays: —0

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twenty-sixth Legislative Day was approved by the Senate.

ADJOURNMENT

At 12:20 P.M., on motion of Mr. Gaither, the Senate adjourned until Tuesday, October 13, 1959, at 12 o'clock Noon.

TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, OCTOBER 13, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend Phaeton Constantinides, Pastor, Greek Orthodox Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Robison
Andrews	Eddins	Haltom	Rutledge
Barnett	Farmer	Hines	Samford
Berryman	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Cooper	Godfrey	Leonard	Webb
Crawford	Golson	Porter	Wilson
deGraffenried	Graham	Roberts	Wyatt

—31

JOURNAL

On motion of Mr. Eddins, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Godfrey, leave of absence was granted Mr. Word for today.

APPOINTMENT OF SELECT COMMITTEE

In accordance with the provisions of House Joint Resolution, H. J. R. 31, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Hines, Farmer and Shelton to escort The Honorable Garland T. Byrd at the Joint Session.

MOTION TO RECESS ADOPTED

At 12:05 P. M., on motion of Mr. Webb, the Senate took a recess until 12:20 P. M. today.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Robison
Andrews	Eddins	Haltom	Rutledge
Barnett	Farmer	Hines	Samford
Berryman	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Cooper	Godfrey	Leonard	Webb
Crawford	Golson	Porter	Wilson
deGraffenried	Graham	Roberts	Wyatt

—31

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House appointed as Committee to wait upon the Honorable Garland T. Byrd, Lieutenant Governor of the State of Georgia,

Messrs. Cornett, Lee and Reynolds (Chambers), at the Joint Session, in accordance with the provisions of H. J. R. 31.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE
ON
ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 261. To provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; to repeal all general acts of this State contained exclusively in Title 10, Code of Alabama 1940, as amended except the following: Title 10, Sections 16, 19 through 21, 48 through 69, 71 through 90, 102, 111 through 188, 198 (1) through 198 (6), and Sections 199 through 263, Code of Alabama 1940, as amended, and except any provisions of Title 48 or Title 51 of the Code of Alabama, 1940, as amended.

HUGH MOSES,
Chairman.

MOTION TO RECESS ADOPTED

Mr. Turner moved that upon completion of the Joint Session, the Senate take a recess until 3 o'clock this afternoon.

Mr. deGraffenried moved as a substitute motion that the Senate take a recess until 2 o'clock this afternoon, which motion was lost.

Yeas 10; Nays 18.

Yeas:

Messrs.:	Cooper	Haltom	Rutledge	
Andrews	deGraffenried	Jones	Samford	
Berryman	Dumas	Robison		—10

Nays:

Messrs.:	Gaither	Green	Turner	
Barnett	Givhan	Kendall	Webb	
Caffey	Godfrey	Leonard	Wilson	
Crawford	Golson	Porter	Wyatt	
Eddins	Graham	Roberts		—18

The question recurred on the motion of Mr. Turner that upon completion of the Joint Session the Senate take a recess until 3 o'clock this afternoon, and said motion was adopted.

JOINT SESSION

The hour of 12:30 P. M. having arrived, in accordance with the provisions of joint resolution heretofore adopted, the Senate repaired to the

Hall of the House of Representatives for the purpose of hearing an address by Honorable Garland T. Byrd, Lieutenant Governor of the State of Georgia.

The Session was called to order by Honorable Albert Boutwell, Lieutenant Governor and President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, Honorable Garland T. Byrd was escorted to the chair and delivered his address to the Legislature of Alabama.

The purpose of the Joint Session having been accomplished, in accordance with motion heretofore adopted, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION

TWENTY-SEVENTH LEGISLATIVE DAY

TUESDAY, OCTOBER 13, 1959

The Senate reassembled at 3 o'clock P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Robison
Andrews	Eddins	Haltom	Rutledge
Barnett	Farmer	Hines	Samford
Berryman	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Cooper	Godfrey	Leonard	Webb
Crawford	Golson	Porter	Wilson
deGraffenried	Graham	Roberts	Wyatt

—31

RESOLUTION

Mr. Caffey offered the following Senate Joint Resolution, to-wit:

S. J. R. 30. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, THAT:

WHEREAS, on October 7, 1959, Judge David H. Edington, Presiding Judge of the Thirteenth Judicial Circuit of Alabama, departed this life, leaving behind him a host of devoted friends acquired throughout a lifetime of service to his fellowman; and

WHEREAS Judge Edington served as Recorder of the City of Mobile for twenty-six (26) years; and as Circuit Judge in Mobile County for twenty-one (21) years, all with distinction as a public servant and distinguished jurist; and

WHEREAS Judge Edington, above all else, was an outstanding Christian gentleman who served for over forty (40) years as an elder of Central Presbyterian Church of Mobile; and

WHEREAS the bench and bar, and indeed all the people of Alabama, have suffered a great loss in the passing of this distinguished man;

NOW, THEREFORE, BE IT RESOLVED THAT THE LEGISLATURE OF THIS STATE OF ALABAMA DEEPLY MOURNS THE DEATH OF JUDGE DAVID H. EDINGTON, and in recognition of his many years of devoted and unselfish service to his fellowman adopts this resolution and directs the resolution be spread upon the pages of the Journals of both house of the Legislature and that a duly executed copy hereof be forwarded to the family of Judge David H. Edington.

And no motion of Mr. Caffey, the Rules were suspended and the Resolution was adopted by the Senate.

HOUSE MESSAGE

On objection to dispensing with the reading at length of the bills, and House Joint Resolutions, the titles of which are set out in the following Messages from the House, The Chair stated the question was "Shall a two-thirds vote of a quorum of the Senate present vote to dispense with the reading at length of the bills?"

On a call of the roll, the reading at length of the bills failed to be dispensed with by a two-thirds vote of a quorum of the Senate present.

Yeas 16; Nays 10.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Berryman	Godfrey	Hines	Samford	
Cooper	Graham	Jones	Shelton	
Crawford	Green	Kendall	Webb	
deGraffenried				—16

Nays:

Messrs.:	Gaither	Leonard	Turner	
Barnett	Givhan	Porter	Wyatt	
Eddins	Golson	Roberts		—10

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 594. To amend Section 2 of the act entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented," which becomes effective October 1, 1959.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the bill had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 32. Relating to county superintendents of education; prescribing the qualifications of such officers; repealing conflicting laws.

Also:

H. 133. Relating to Department of Revenue, to authorize and direct the Commissioner of the Department of Revenue to allow a discount of two per cent (2%) on the first $5,000.00 of tax paid to the state and of one per cent (1%) on all amounts of tax paid in excess of $5,000.00, not exceeding $200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

Also:

H. 672. To amend Section 2, Item III, A (35) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

OAKLEY MELTON, JR.,
Clerk

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the bills had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 71. Relative to the adjournment of the two Houses on Friday, October 16, 1959, and on Friday, October 30, 1959.

Also:

H. J. R. 72. Relative to the death of Jacob M. (Jake) Kreis and extending sympathy to the surviving members of his family.

Also:

H. J. R. 74. Relative to extending best wishes to Miss Mildred Nelson of Pike County who was crowned "Alabama Maid of Cotton for 1960".

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the resolutions had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 111. To confer on each incorporated municipality in this state having a population of less than 6,000 inhabits according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such incorporated municipality and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such incorporated municipality; to confer on each such incorporated municipality the same powers to assess the cost of any such improvements, whether constructed within the incoorporated municipality or outside the municipality and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such incorporated municipality or outside such municipality and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such incorporated municipality of the cost of such improvements constructed in such municipality; to confer on each such municipality the power to finance any such improvements, constructed outside the incorporated municipality and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements.

Also:

H. 625. To amend an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 286, H. 828, Acts 1957 Reg. Sess., p. 365) so as to exclude certain territory annexed to the city by said act.

Also:

H. 626. To amend an act approved August 16, 1957 entitled "An Act to alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama" (Act No. 288, H. 830, Acts 1957 Reg. Sess., p. 367) so as to exclude certain territory annexed to the city by said act.

Also:

H. 696. To provide that clerks of county courts in all counties having a population of not less than 26,000, nor more than 26,600, according to the most recent federal decennial census, may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

Also:

H. 698. Relating to and providing for the reidentification of electors in Coffee County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the bills had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

REPORT FROM RULES

Mr. Givhan, Vice-Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governors Message and ordered same returned to the Senate with a favorable report, to-wit:

APPOINTMENT OF MEMBERS OF THE BOARD OF TRUSTEES OF ALABAMA POLYTECHNIC INSTITUTE

On motion of Mr. Robison, Honorable John W. Overton, Honorable R. C. Bamberg, Honorable Redus Collier and Honorable William J. Forrester were confirmed by the Senate as members of the Board of Trustees, Alabama Polytechnic Institute.

RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 31. BE IT RESOLVED BY THE SENATE THAT ON THE ADOPTION OF THIS RESOLUTION THE FOLLOWING SHALL BE THE IMMEDIATE AND CONTINUING ORDER OF BUSINESS UNTIL DISPOSED OF TAKING PRECEDENCE OVER ALL OTHER BUSINESS:

H. B. 760

H. B. 762

H. B. 765

S. B. 316

S. B. 317

H. B. 102

RECESS

At 4:15 P. M., on motion of Mr. Barnett, the Senate took a recess until 4:25 P. M.

Yeas 16; Nays 12.

Yeas:

Messrs.:	Givhan	Kendall	Shelton
Andrews	Golson	Leonard	Turner
Barnett	Graham	Porter	Webb
Crawford	Green	Roberts	Wyatt
Gaither			—16

Nays:

Messrs.:	deGraffenried	Haltom	Robison
Berryman	Dumas	Hines	Rutledge
Caffey	Eddins	Jones	Samford
Cooper			—12

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Robison
Andrews	Eddins	Haltom	Rutledge
Barnett	Farmer	Hines	Samford
Berryman	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Turner
Cooper	Godfrey	Leonard	Webb
Crawford	Golson	Porter	Wilson
deGraffenried	Graham	Roberts	Wyatt
			—31

FURTHER CONSIDERATION OF S. R. 31

The Senate proceeded to further consideration of the Resolution, S. R. 31.

Mr. Haltom offered the following amendment to the Resolution, to-wit:

AMENDMENT TO S. R. 31

Amend S. R. 31 by deleting therefrom any reference to the bills, S. B. 316 and S. B. 317.

Mr. Givhan moved that said amendment be laid on the table.

MOTION TO ADJOURN LOST

At 4:55 P. M., Mr. Roberts moved that the Senate adjourn until Friday, October 16, 1959, at 11 o'clock A. M., which motion was lost.

Yeas 14; Nays 17.

Yeas:

Messrs.:	Givhan	Leonard	Turner
Barnett	Godfrey	Porter	Wilson
Crawford	Golson	Roberts	Wyatt
Gaither	Kendall	Shelton	—14

Nays:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Rutledge
Berryman	Eddins	Hines	Samford
Caffey	Farmer	Jones	Webb
Cooper	Graham		—17

FURTHER CONSIDERATION OF S. R. 31

The Senate proceeded to further consideration of the Resolution, S. R. 31.

The question was on the motion of Mr. Givhan that the amendment offered by Mr. Haltom be laid on the table.

MOTION TO ADJOURN LOST

At 5:25 P. M., Mr. Roberts moved that the Senate adjourn until Friday, October 16, 1959, at 11 o'clock A. M., which motion was lost.

Yeas 13; Nays 16.

Yeas:

Messrs.:	Godfrey	Porter	Shelton	
Barnett	Golson	Roberts	Turner	
Crawford	Kendall	Rutledge	Wyatt	
Givhan	Leonard			—13

Nays:

Messrs.:	deGraffenried	Graham	Jones	
Andrews	Dumas	Green	Robison	
Berryman	Eddins	Haltom	Samford	
Caffey	Farmer	Hines	Webb	
Cooper				—16

FURTHER CONSIDERATION OF S. R. 31

The Senate proceeded to further consideration of the Resolution, S. R. 31.

The question was on the motion of Mr. Givhan that the amendment offered by Mr. Haltom be laid on the table.

MOTION TO ADJOURN LOST

A. 5:55 P. M., Mr. Golson moved that the Senate adjourn until Friday, October 16, 1959, at 11 o'clock A. M., which motion was lost.

Yeas 14; Nays 16.

Yeas:

Messrs.:	Gaither	Leonard	Turner	
Andrews	Golson	Porter	Wilson	
Barnett	Graham	Roberts	Wyatt	
Crawford	Kendall	Shelton		—14

Nays:

Messrs.:	Dumas	Green	Robison	
Berryman	Eddins	Haltom	Rutledge	
Caffey	Farmer	Hines	Samford	
Cooper	Godfrey	Jones	Webb	
deGraffenried				—16

FURTHER CONSIDERATION OF S. R. 31

The Senate proceeded to further consideration of the Resolution, S. R. 31.

The question was on the motion of Mr. Givhan that the amendment offered by Mr. Haltom be laid on the table. The motion to table prevailed.

Yeas 25; Nays 3.

Yeas:

Messrs.:	Dumas	Green	Rutledge	
Andrews	Eddins	Hines	Shelton	
Berryman	Farmer	Jones	Turner	
Caffey	Givhan	Kendall	Webb	
Cooper	Godfrey	Leonard	Wilson	
Crawford	Golson	Robison	Wyatt	
deGraffenried	Graham			—25

Nays: Messrs. Haltom, Roberts and Samford. —3

Mr. Barnett then offered the following amendment to the Resolution, S. R. 31, to-wit:

AMENDMENT TO S. R. 31

Amend S. R. 31 by substituting Senate Bill 360 for and in lieu of House Bill 102.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twenty-seventh Legislative Day was approved by the Senate.

ADJOURNMENT

At 6:26 P. M., on motion of Mr. Roberts, pending further consideration of the Resolution, S. R. 31, the Senate adjourned until Friday, October 16, 1959 at 11 o'clock A. M.

Yeas 19; Nays 11.

Yeas:

Messrs.:	Gaither	Green	Shelton	
Andrews	Givhan	Kendall	Turner	
Barnett	Godfrey	Leonard	Webb	
Crawford	Golson	Porter	Wilson	
Farmer	Graham	Roberts	Wyatt	
				—19

Nays:

Messrs.:	deGraffenried	Haltom	Robison	
Berryman	Dumas	Hines	Rutledge	
Cooper	Eddins	Jones	Samford	
				—11

TWENTY-EIGHTH LEGISLATIVE DAY

FRIDAY, OCTOBER 16, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend W. G. Barnes, retired Methodist minister, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Leonard	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Roberts	Word
deGraffenried	Green	Robison	Wyatt
Dumas			—32

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business of yesterday, which was the Resolution:

S. R. 31. Relative to setting special orders.

The question was on the amendment offered by Mr. Barnett to the Resolution, which amendment is set out at length in the Journal of the Senate for the Twenty-Seventh Legislative Day.

RECESS

At 12.18 P. M., on motion of Mr. Webb, and pending further consideration of S. R. 31, the Senate took a recess until 1:30 o'clock this afternoon.

Yeas 19; Nays 13.

Yeas:

Messrs.:	Farmer	Green	Shelton
Andrews	Gaither	Kendall	Turner
Barnett	Givhan	Leonard	Webb
Caffey	Golson	Porter	Wilson
Crawford	Graham	Roberts	Wyatt
			—19

Nays:

Messrs.:	Dumas	Hines	Rutledge
Berryman	Eddins	Jones	Samford
Cooper	Godfrey	Robison	Word
deGraffenried	Haltom		—13

AFTERNOON SESSION

TWENTY-EIGHTH LEGISLATIVE DAY

FRIDAY, OCTOBER 16, 1959

The Senate reassembled at 1:30 P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Leonard	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Roberts	Word
deGraffenried	Green	Robison	Wyatt
Dumas			

—32

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Dumas:

S. 426. To amend Section 1 of Act No. 527, H. 411, Regular Session of the Legislature of Alabama of 1953, approved September 8, 1953, Acts of Alabama, 1953, page 734.

Committee on Judiciary

By Mr. Dumas:

S. 427. To propose an Amendment to the Constitution of Alabama to provide that the making and collection of mortgage loans in Alabama by non-residents solely through the Agency of Loan brokers duly licensed as Mortgage Loan Brokers under the laws of Alabama, and maintaining a place of business in the State of Alabama, shall not constitute doing business in Alabama by such non-resident lender, but subjecting such non-resident lender to process in Alabama for the purpose of determining any question concerning such loans.

Committee on Constitution and Constitutional Revision and Amendments

The above bill was read a first time at length as required by the Constitution.

By Mr. Jones:

S. 428. To alter, rearrange and describe the boundary lines and corporate limits of the city of Alexander City, Tallapoosa County, Alabama.

Committee on Local Legislation

With notice and proof thereto attached and herewith exhibited as follows:

TO ALL WHOM IT MAY CONCERN:

Notice is hereby given that the following local bill will be introduced in the regular session of the Legislature of Alabama at the first opportunity:

AN ACT

To alter, rearrange and describe the boundary lines and corporate limits of the city of Alexander City, Tallapoosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this act the boundary line and corporate limits of Alexander City, Tallapoosa County, Alabama are extended, altered and rearranged so as to include in the corporate limits of the City of Alexander City, Tallapoosa County, Alabama all the property within the following described boundary, to-wit: Begin at the southwest corner of Section 12, T/S 22 N. Range 21 E Tallapoosa County, Alabama; thence run east along the southern boundary of said section to the southeast corner of said section; thence north along the east boundary line of said Section 12, and Section 1, T/S 22 N, Range 21 E to a point where said section line intersects the north property line of the Central of Georgia Railroad; thence run in northwesterly direction along said right of way line to a point 10 feet south of the northern boundary line of Section 2, T/S 22 N Range 21 E; thence west to a point 10 feet west of the west right of way line of the Central of Georgia Railroad; thence run northwest paralleling the western right of way line of said railroad to a point in the center of Sixth Street, Alexander City, Alabama; thence run in a westerly direction along the center line of Maple street a distance of 517 feet to the intersection with the center line of Iris Avenue; thence westerly along the center line of Iris Avenue a distance of 1164 feet to the intersection with the center line of Pine Street; thence northeasterly along the center of Pine Street to intersection with center line of Lakeland Avenue; thence run in a northeasterly direction 796 feet to iron corner on the west right of way line of the Central of Georgia Railroad; thence run in a southeasterly direction along the west property line of said railroad to a point where the said west right of way line intersects the northern boundary line of section 2, T/S 22 N, Range 21E; thence east along the northern boundary of said section 2 a distance of 500 ft. to a corner; thence S. 710 ft. to a point which is 10 ft. N. of the easterly property line of the Central of Georgia Railroad right of way; thence run in a southeasterly direction paralleling the right of way of the Central of Georgia Railroad to a point on the eastern boundary of Section 1, T/S 22N, Range 21 E; thence N. along the east boundary of said section 1 to the NE corner of said section; thence W. along the N. boundary of said section 1 to the NW corner of the NE quarter of Section 1, T/S 22N, Range 21E; thence N. along the half section line of section 36, T/S 23 N, Range 21 E; to the NW corner of the SE¼ of said section; thence E. 1320 ft.; thence N. along the forty line 2640 ft. to the N. side of said section; thence W. 660 ft.; thence N. 1320 ft; thence W 660 ft. to the NW corner of SW¼ of SE¼ section 25, T/S 23 N, Range 21 East; thence N. along the half section line to the NW corner of the NE quarter of Section 24, T/S 23N, Range 21 E; thence W. along the N. Boundaries of Sections 24 & 23 to the NW corner of Section 23 T/S 23N, Range 21 E; thence S. along the W. boundary of said section 23 to the SW corner of the NW quarter of said section 23; thence W. along the half section line of Sections 22, 21, 20, & 19, T/S 23 N, Range 21 E. to the NW corner of the NE¼ of SE¼ of Section 19, T/S 23 N, Range 21 E; thence due S. through Sections 19, 30, & 31 T/S 23N, Range 21 E. and Sections 6 & 7 T/S 22N, Range 21 E. to the SW corner of the

NE quarter of NE quarter of Section 7, T/S 22N, Range 21E; thence E along said forty line to where the same intersects the W. right of way line of Ala. Highway No. 22, known as the Rockford Road; thence run in a northwesterly direction along the said right of way line of Alabama Highway 22 to the point where the same intersects the center line of Old Russell Road; thence NE along the said Highway right of way 1080 ft. to a point; thence in a northwesterly direction paralleling Mira Road, & 150 ft. from the center line thereof, to a point 10 ft. south of southwestern right of way line of the Central of Georgia Railroad; thence run northwesterly parallel with said railroad right of way to a point on the center line of Mira Road, formerly U. S. 241 By-Pass road, thence run SW at right angles to the said railroad right of way a distance of 500 ft. to a point; thence run in a northwesterly direction parallel with the right of way of the Central of Georgia railroad a distance of 4800 feet to a point; thence make a 90 degree turn to the right and run 510 feet to a point on the western right of way line of the Central of Georgia Railroad; thence run in southerly direction following the west and south right of way line of the Central of Georgia Railroad to a point where the same intersects the center line of Elkahatchee Street; thence South 30 degrees 19' East along center of Elkahatchee Street a distance of 183.55 feet thence continuing along the center line of Elkahatchee Street South 22 degrees 35' East 133.4 feet and South 10 Degrees 10' East 90.2 feet and South 5 degrees 4' East 1408.6 feet and South 6 degrees 10' East 860 feet to a corner; thence run South 87 degrees 11' West a distance of 702.4 feet to a point; thence South 85 degrees 16' West 546.6 feet to a point; thence South 87 degrees 44' West 643.87 feet to a point; thence North 86 degrees 52' West a distance of 188.22 feet to a point and the center of the New (1959) Russell Road; thence South 51 degrees 07' West along said road a distance of 981.27 feet to a point; thence south 88 degrees 2' West a distance of 1061.65 feet to the intersection of New Russell Road with Old Highway 241 By-Pass; thence South 6 degrees 31' East a distance of 191.2 feet to the east right of way line of U. S. Highway 280 By-Pass; thence North 49 degrees 15' West along said By-Pass 579.9 feet to its intersection with the South right of way line of Alabama Highway No. 22; thence in a southwesterly direction along the right of way of said Highway 22 to its intersection with the south boundary line of the NE¼ of NE¼ Section 7, T/S 22 N, Range 21 East; thence run east along said forty line and across Section 8, 9, and 10 to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 11, T/S 22 N, Range 21 East; thence South along the West boundary of Section 11, T/S 22 N, Range 21 E to the southwest corner of said section; thence run east along the southern boundary of said section 11 to the point of beginning.

Section 2. That all laws and parts of laws, both general, special and local in conflict with this Act, be and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Ala-

bama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 11, Sept. 18, Sept. 25, and October 2, all in the year 1959.

J. C. HENDERSON

Sworn to and subscribed before me 3 of October, 1959.

T. C. WOLSONCROFT,
Notary Public

My commission expires May 14, 1963.

By Mr. Haltom:

S. 429. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Committee on Local Legislation

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Florence be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of the City of Florence all of the following additional adjacent territory in Lauderdale County, Alabama, situated, to-wit:

A tract or parcel of land situated in Lauderdale County, Alabama, more particularly described as follows: Beginning at a point where the center line of Cloyd Boulevard intersects the center line of Hermitage Drive (formerly known as Jackson Highway); run thence Northwardly along said Highway for a distance of 852 feet to a point; run thence Westwardly at right angles to said Drive for a distance of 417 feet to a point; run thence to the right at right angles for a distance of 215 feet to a point; run thence to the left with a deflection angle of 83 degrees and 16 minutes for a distance of 300 feet to a point; run thence to the left with a deflection angle of 34 degrees and 17 minutes for a distance of 1,465 feet to a point; run thence to the left with a deflection angle of 91 degrees and 30 minutes for a distance of 828 feet to a point; run thence to the left at right angles for a distance of 162 feet to a point; run thence to the right with a deflection angle of 80 degrees and 00

minutes for a distance of 200 feet to a point; run thence to the left with a deflection angle of 32 degrees for a distance of 208 feet to a point; run thence to the right with a deflection angle of 17 degrees and 00 minutes for a distance of 100 feet to a point; run thence to the left at a deflection angle of 24 degrees and 42 minutes for a distance of 100 feet to a point; run thence to the left with a deflection angle of 49 degrees and 02 minutes for a distance of 120 feet to a point; run thence at a right deflection angle of 57 degrees and 00 minutes for a distance of 155 feet to a point; run thence at a right deflection angle of 27 degrees and 30 minutes for a distance of 150 feet to a point; run thence left with a deflection angle of 31 degrees and 38 minutes for a distance of 480 feet to the center line of Hermitage Drive; run thence Northwardly along Hermitage Drive for a distance of approximately 665 feet to the point of beginning.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the The Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 15, September 22, September 29, and October 6, all in the year 1959.

D. H. BOWLING,
Advertising Manager.

Sworn to and subscribed before me October 12, 1959.

JAMES C. STUTTS,
Notary Public State-At-Large.

My Commission Expires June 29, 1963.

By Mr. Kendall:
S. 430. To provide additional compensation or salary for the Official Court Reporter of the 22nd Judicial Circuit and providing for the payment thereof.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A LOCAL BILL

Notice is hereby given that a local bill in substantially the following form will be introduced in the present session of the Legislature:

A BILL
TO BE ENTITLED
AN ACT

To provide additional compensation or salary for the Official Court Reporter of the 22nd Judicial Circuit and providing for the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Official Court Reporter of the Twenty-second Judicial Circuit of Alabama appointed and holding office under the provisions of law applicable thereto shall, in addition to the salary fixed and provided to be paid to said Court Reporter under the provisions of Act No. 294, H. 212 (Acts of Alabama 1957, P. 376), receive as additional salary or compensation the sum of twenty-four hundred dollars per annum which shall be payable in monthly installments by Covington County out of its general fund unless otherwise ordered as hereinafter provided.

Section 2. The Board of Revenue or other governing body of Covington County, may, in its discretion, from time to time pay, or order to be paid said additional salary or compensation or any part thereof from the fine and forfeiture fund of said county, provided however that such payments from said fund shall not be made when the balance in said fund shall have reached two thousand dollars or below, or if lawfully presented and outstanding claims against said fund will reduce the balance in said fund to two thousand dollars or below.

Section 3. In the event the Legislature of Alabama shall hereafter by general act or general act of local application provide for an increase of salary for Official Court Reporters which would result in an increase of salary, apart from the provisions of this act, as now authorized to be paid to the Official Court Reporter of Covington County, then in that event the additional salary or compensation herein authorized and fixed shall be abated or reduced by the amount of such increase.

Section 4. No provision of this act shall be construed as altering, amending or repealing Act No. 294, H. 212 (Acts of Alabama 1957, P. 376) except as herein specifically provided, but otherwise all laws or parts of laws, general, special, or local, which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: Sept. 24, Oct. 1, Oct. 8 and Oct. 15, 1959.

This the 15th day of October, 1959.

ED DANNELLY.

Sworn to and subscribed before me this 15th day of October, 1959.

LORA JONES,
Notary Public.

By Mr. Robison:

S. 431. To alter, rearrange and extend the boundaries of the City of Montgomery, Alabama, so as to include within the corporate limits

thereof certain additional territory in Sections 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City of Montgomery, Alabama, certain additional territory lying within the following described boundaries, to-wit:

Beginning at the common corner of Sections 27, 28, 33 and 34, all in Township 16 North, Range 18 East, thence North 00 degrees—16' East along the East line of Section 28 a distance of 816.4 feet; thence North 88 degrees—05' West a distance of 1092.5 feet; thence South 08 degrees—18' West a distance of 401.4 feet; thence North 84 degrees—53' West 598.75 feet to the East side of Fisk Road: thence West parallel with the South line of Section 28 to the West side of Fisk Road; thence Northeasterly along the West line of Fisk Road and along the Northerly extension of the West line of Fisk Road to the North line of the Troy Highway; thence Easterly along the North line of the Troy Highway to its point of intersection with the East-West half section line of Section 27; thence East along said half section line to the center of Section 27; thence turning and running South along the North-South half section line of Section 27 to the Southeast corner of the SW¼ of said Section 27; thence turning and running West along the South line of Section 27 to the Southwest corner thereof, the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, T. A. Hardy, a Notary Public in and for said State and County, personally appeared Inez Woodson for The Advertiser Company, Inc., publishers of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery, and State of Alabama, who, being by me first duly sworn, deposes and says on oath that the attached is a true copy of a "Legal Notice" which appeared

in the regular editions of said newspapers published in said City and County of Montgomery on Sept. 23 and 30 and Oct. 7 and 14, 1959.

INEZ WOODSON

Sworn to and subscribed before me, this the 14 day of October, 1959.

T. A. HARDY,
Notary Public.

By Mr. Robison:

S. 432. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 28, T16N, R18E, Montgomery County, Alabama, and Section 21, T16N, R18E, Montgomery County, Alabama.

Committee on Local Legislation

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the city of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 28, T16N, R18E, Montgomery County, Alabama, and Sec. 21, T16N, R18E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city certain additional territory lying within the following described boundaries, to-wit:

Beginning at the intersection of the North side of the Troy Highway and the West side of Carter Hill or Fisk Road; thence westerly along the North side of the Troy Highway to the East line of the West-half of the East-half of the NW¼ of Section 28, T16N, R18E; thence north along the said East line of the West-half of the East-half of the NW¼ of said section 28, to the Northeast corner of the SW¼ of NE¼ of the NW¼ of said Section 28; thence West to the Quarter Section line running North and South through the center of the NW¼ of said section 28; thence North along the said Quarter Section line to the North line of said Section 28; thence continue North along the Quarter Section line running North and South through the center of the West-half of Section 21, T16N, R18E, to the South ROW line of Carter Hill Road; thence Easterly along the said South ROW line of Carter Hill Road to the Southwesterly corner of the intersection of Vaughan Road and said Carter Hill Road; thence S49 degrees 39'E along the Southwesterly ROW line of Carter Hill Road a distance of 719.8 feet, more or less, to a point on a curve in the ROW; thence Southeasterly along a

long cord of a curve in said ROW line a distance of 472.2 feet, more or less, to a point; thence S05 degrees 07'E along the West ROW of Carter Hill Road a distance of 542.94 feet, more or less, to a point; thence S05 degrees 02'E along the West ROW of Carter Hill Road a distance of 1,918.16 feet, more or less, to a point; thence S04 degrees 01'E along the West ROW of Carter Hill Road a distance of 1,981 feet, more or less, to the point of beginning. The said property lying and being situated in Section 21 and Section 28, T16N, R18E, County of Montgomery, and State of Alabama.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, T. A. Hardy, a Notary Public in and for said State and County, personally appeared Guyton Parks for The Advertiser Company, publishers of The Montgomery Advertiser, a newspaper published in the City of Montgomery, County of Montgomery, and State of Alabama, who, being by me first duly sworn, deposes and says that the attached is a true copy of a "Legal Notice" which appeared in the regular editions of the said newspaper published in said City and County of Montgomery on September 17, September 24, October 1 and October 8, 1959.

GUYTON PARKS,
Business Manager.

Sworn to and subscribed before me, this the 9 day of Oct., 1959.

T. A. HARDY,
Notary Public.

REPORTS OF COMMITTEES

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jenkins (wtih notice and proof):
H. 851. To provide for the relief of W. E. Sikes, of Roanoke, by Randolph County.

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business of the Morning Session, which was the Resolution:

S. R. 31. Setting special orders.

The question was on the amendment offered by Mr. Barnett to the Resolution, which said amendment is set out at length in the Journal of the Senate for the Twenty-Seventh Legislative day.

On motion of Mr. Turner, said amendment was laid on the table.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Eddins	Haltom	Samford
Andrews	Farmer	Hines	Shelton
Berryman	Gaither	Jones	Turner
Caffey	Givhan	Kendall	Webb
Cooper	Godfrey	Leonard	Wilson
Crawford	Golson	Porter	Word
deGraffenried	Graham	Robison	Wyatt
Dumas			

—28

Nays: Messrs. Barnett and Roberts. —2

Mr. Webb offered the following substitute for the Resolution, S. R. 31, to-wit:

SUBSTITUTE FOR S. R. 31

Be it resolved by the Senate that on the adoption of this Resolution the following shall be the immediate and continuing order of business until disposed of taking precedence over all other business.

	page
H. B. 760	42
H. B. 762	43
H. B. 765	43
H. B. 102	49
S. B. 316	60
S. B. 317	61

Mr. Robison moved that the substitute offered by Mr. Webb for the Resolution, S. R. 31, be laid on the table, which motion was lost.

Yeas 11; Nays 21.

Yeas:

Messrs.:	Cooper	Godfrey	Robison
Andrews	deGraffenried	Hines	Rutledge
Berryman	Eddins	Jones	Word

—11

Nays:

Messrs.:	Gaither	Kendall	Shelton
Barnett	Givhan	Leonard	Turner
Caffey	Golson	Porter	Webb
Crawford	Graham	Roberts	Wilson
Dumas	Green	Samford	Wyatt
Farmer	Haltom		

—21

The question recurred on the substitute offered by Mr. Webb for the Resolution, which was adopted.

And said Resolution, as thus amended by the substitute, was then adopted by the Senate.

MOTION TO RECONSIDER

Mr. Webb moved that the Senate reconsider the vote by which it adopted the Resolution, S. R. 31, as amended, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

RESOLUTION

Mr. Dumas offered the following Senate Resolution, to-wit:

S. R. 32. BE IT RESOLVED by the Senate, that:

WHEREAS the Senate has pending before it Senate Bill No. 426 authorizing foreign corporations to lend money secured by mortgages on real property and to maintain bank accounts in this state without qualifying to do business in this state and without payment of taxes except the taxes levied or assessed on such property;

NOW THEREFORE, BE IT RESOLVED that the Supreme Court of Alabama is hereby requested by the Legislature of Alabama to give the Legislature an advisory opinion with respect to the constitutionality of said bill, a copy of which is attached hereto, especially on the following particulars:

1. Does the Bill violate any of the following sections of the 1901 Constitution of Alabama:

(a) Section 104(9) in Article 4

(b) Section 104(15) in Article 4

(c) Section 104(25) in Article 4

(d) Section 105 in Article 4

(e) Section 108 in Article 4

(f)Section 231 in Article 12

(g) Section 232 in article 12

in that the Bill permits a corporation which is not organized under the laws of this state and which has no place of business in this state to maintain bank accounts, take and hold mortgages on real property located within this state, collect the debts secured thereby and appoint a custodian or agent to hold such securities, collect such debts, control such property and enforce the provisions of such mortgages, without requiring such corporation to qualify to do business in this state and without requiring such corporation to pay any taxes other than those levied or assessed on such property?

2. Does the Bill violate any of the following sections of the 1901 Constitution of Alabama:

(a) Section 104(9) in Article 4

(b) Section 104(15) in Article 4

(c) Section 104(25) in Article 4

(d) Section 105 in Article 4

(e) Section 108 in Article 4

(f) Section 231 in Article 12

(g) Section 232 in Article 12

in that the Bill permits a corporation which is not organized under the laws of this state and which has no place of business in this state to maintain bank accounts, take and hold mortgages on real property located within this state, collect the debts secured thereby and appoint a custodian or agent to hold such securities, collect such debts, control

such property and enforce the provisions of such mortgages, without requiring such corporation to qualify to do business in this state and without requiring such corporation to pay any taxes other than those levied or assessed on such property, and in that the Bill provides that such corporation may sue or be sued in this state in relation to such mortgages or real property, securities or debts, and provides that service of process may be perfected by service upon any agent appointed by such corporation?

3. Will the maintaining of bank accounts, the taking and holding of mortgages on real property located within this state, the collection of the debts secured thereby and the appointment of a custodian or agent to hold such securities, collect such debts, control such property and enforce the provisions of such mortgages by a corporation which is not organized under the laws of this state and which has no place of business in this state constitute doing business in this state so as to require such corporation to qualify to do business in this state?

4. Will the maintaining of bank accounts, the taking and holding of mortgages on real property located within this state, the collection of the debts secured thereby and the appointment of a custodian or agent to hold such securities, collect such debts, control such property and enforce the provisions of such mortgages by a corporation which is not organized under the laws of this state and which has no place of business in this state constitute doing business in this state so as to require such corporation to pay taxes other than those levied or assessed against such property?

5. Does the Bill violate Section 45 of the 1901 Constitution of Alabama by containing more than one subject?

6. Does the Bill violate Section 45 of the 1901 Constitution of Alabama by extending or conferring the provisions of a law by reference to its title only?

And on motion of Mr. Dumas, the Rules were suspended and the Resolution was adopted by the Senate.

By Mr. Dumas:
S. 426.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 527, H. 411, Regular Session of the Legislature of Alabama of 1953, approved September 8, 1953, Acts of Alabama, 1953, page 734.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 527, H. 411, Regular Session of the Legislature of Alabama of 1953, approved September 8, 1953, Acts of Alabama, 1953, page 734, is hereby amended so as to read as follows:

Section 1. Any corporation which is not organized under the laws of this state and has no place of business in this state may maintain bank accounts, take and hold mortgages on real property located within the state, collect the debts secured thereby, and may appoint a custodian or agent to hold such securities, collect such debts, control such property, and enforce the provisions of such mortgages, without

qualifying to do business in this state or without payment of taxes, except the taxes levied or assessed on such property. Such corporation may sue or be sued in this state in relation to such mortgages or real property, securities or debts, and service of process may be perfected by service upon any agent appointed by such corporation.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

SPECIAL ORDER

BILLS ON THIRD READING

The Senate proceeded to consideration of the Special Order for today, the first of which was The Bill:

H. 760. To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of the taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the state treasury.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE

AMENDMENT TO H. B. 760

Amend Section 1 of House Bill 760 by striking therefrom the second sentence therein and insert in lieu thereof the following:

"The term "Selling price", wherever used in this act shall mean the total marked-up price of spirituous or vinous liquors sold by the Board, exclusive of the taxes heretofore levied with respect thereto."

Further amend said bill by striking therefrom the whole of Section 4 thereof and insert in lieu thereof the following:

Section 4. Effective Date. This act shall become effective on January 1, 1960.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Caffey	Godfrey	Leonard	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Roberts	Word
deGraffenried	Green	Robison	Wyatt
Dumas			

—32

Nays: —0

Mr. deGraffenried offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO H. B. 760 AS AMENDED

Substitute the following for Section 4 of the bill:

Section 4. This Act shall take effect December 1, 1959.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison
Andrews	Eddins	Haltom	Rutledge
Barnett	Farmer	Hines	Shelton
Berryman	Gaither	Jones	Turner
Caffey	Givhan	Kendall	Webb
Cooper	Godfrey	Leonard	Wilson
Crawford	Golson	Porter	Word
deGraffenried	Graham	Roberts	Wyatt

—31

Nays: —0

And said Bill, as thus amended, was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison
Andrews	Eddins	Haltom	Rutledge
Barnett	Farmer	Hines	Shelton
Berryman	Gaither	Jones	Turner
Caffey	Givhan	Kendall	Webb
Cooper	Godfrey	Leonard	Wilson
Crawford	Golson	Porter	Word
deGraffenried	Graham	Roberts	Wyatt

—31

Nays: —0

The Bill:

H. 762. To authorize the sale and issuance of not exceeding $3,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of constructing and equipping a hospital building to constitute a part of the University of Alabama Medical Center and to be used for the care and treatment of mental patients and for training of medical students in the field of mental illness; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary for those portions of the state taxes on the sale of spirituous or vinous liquors and of the state license taxes on those selling, storing or receiving for distribution malt or brewed beverages that are required by law to be paid into the Alabama Special Mental Health Fund; to create a bond commission with authority to specify the details of and to make provisions for the sale of

and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge	
Andrews	Farmer	Hines	Samford	
Barnett	Gaither	Jones	Shelton	
Berryman	Givhan	Kendall	Turner	
Caffey	Godfrey	Leonard	Webb	
Cooper	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Word	
deGraffenried	Green	Robison	Wyatt	
Dumas				—32

Nays: —0

The Bill:

H. 765. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding $3,000,000 principal amount of General Obligation Bonds of the State of Alabama for construction and equipment of a hospital building for mental patients to constitute a part of the University of Alabama Medical Center.

was read a third time at length, as required by the Constitution, and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge	
Andrews	Farmer	Hines	Samford	
Barnett	Gaither	Jones	Shelton	
Berryman	Givhan	Kendall	Turner	
Caffey	Godfrey	Leonard	Webb	
Cooper	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Word	
deGraffenried	Green	Robison	Wyatt	
Dumas				—32

Nays: —0

The Bill:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

was taken up.

The Standing Committee on Banking reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO H. B. 102

Amend H. B. 102 by inserting in subsection (b) of Section 3 of the bill, in the eighth line after the word "farming," the following words:

"Nor shall it apply to agricultural credit corporations or associations organizaed under an Act of the Congress of the United States,"

and

By striking out the words and figures, "two hundred dollars ($200)" where the same appear together in Section 9 (a), and insert in lieu thereof the words and figures, "four hundred dollars ($400)"

and

By striking from Section 9 (b) in the last line thereof the words and figures "(2)" and insert in lieu thereof the words and figures "(a)"

and

By adding to Section 14 a new subsection (e) as follows:

"(e) Interest as provided in this Act shall not accrue or be recovered or charged on any loan made under this Act for any longer than six months after the due date of the final installment of principal or interest. After the expiration of said six months period interest may be charged at a rate not to exceed eight per cent per annum."

and

By inserting as Section 14 (f) the following:

"(f) Additional Security for Loans.

"(1) On loans in amounts of One Hundred Dollars ($100) or more, a licensee may accept as additional security for a loan, insurance written on the life of one of the principal obligors under the loan contract. Such insurance must be reasonably related to the hazard or risk of the loan and must not exceed the term of the loan or the approximate amount of the indebtedness at any time during the life thereof.

"(2) The premium, or identifiable charge, collected by licensee or its officers, agents or employees on life insurance shall not exceed the lowest premium or identifiable charge for such insurance as filed with and approved by the insurance commissioner of the State of Alabama by a company licensed to do business in the State of Alabama and writing such insurance; provided however that in no event shall the premium or identifiable charge exceed $1.00 per annum for each $100 of life insurance.

"(3) Every insurance policy or certificate written in connection with the loan transaction shall provide for cancellation of the coverage and a refund of the unearned premium or identifiable charge upon the discharge of the loan obligation for which such insurance is security, without prejudice to any claim. Such refund shall be made under a formula filed by the insurer with the Department of Insurance except no refund of less than $1.00 need be made.

"(4) In accepting such insurance as security for the loan, the licensee, or an employee, may deduct the premiums or identifiable charge

for such insurance from the proceeds of the loan and transmit them to the insurance company.

"(5) Any gain or advantage in the form of commission or otherwise, to the licensee or to any employee, affiliate or associate of the licensee from such insurance or its sale shall not be considered an additional or further charge in connection with the loan, notwithstanding the provisions of Section 14 (d).

"(6) All such insurance shall be written by a company authorized to conduct business in this state and the licensee shall not require the purchase of such insurance from any agent or broker designated by the licensee, nor shall the licensee decline existing coverages which equal or exceed the standards of this Section."

and

By striking out the first sentence of Section 16 and insert in lieu thereof the following:

"No licensee who makes a loan in excess of Five Hundred Dollars ($500) shall charge, contract for or receive interest in excess of the rates prescribed in Sections 60 or 61 of Title 9, Code of Alabama, 1940, as amended."

and

By striking from Section 16 the period at the end of said Section and inserting in lieu thereof a comma, and adding thereto the following words:

"and the penalties provided for in Section 14 (d) of this Act shall apply to any person, firm or corporation violating this Section."

and

By inserting in Section 21, Line 4, after the word, "effective," the following words: "or had such a license in effect on September 30, 1959,"

and

By adding thereto Section 22 (c) as follows:

"Any person, firm, corporation or association who shall wilfully violate any of the provisions of this Act for which a specific penalty is not herein specifically provided shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars ($500), nor less than One Hundred Dollars ($100), or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court."

Mr. Webb offered the following substitute for the Bill, H. B. 102, and pending Committee amendment, to-wit:

SUBSTITUTE FOR H. B. 102

A BILL
TO BE ENTITLED
AN ACT

Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and

corporations engaged in the business of lending money in amounts of two hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Declaration of Legislative intent. The Legislature finds as facts and determines that:

1. There exists among citizens of this state a widespread demand for small loans. The scope and intensity of this demand have been increased progressively by many social and economic forces.

2. The expense of making and collecting small loans, which are usually made on comparatively unsubstantial security to wage-earners, salaried employees and other persons of relatively low incomes is necessarily high in relation to the amounts lent.

3. Such loans cannot be made profitably under the limitations imposed by existing laws relating to interest and usury. These limitations have tended to exclude lawful enterprises from the small loan field. Since the demand for small loans cannot be legislated out of existence, many small borrowers have been left to the mercy of those willing to bear the approbrium and risk the penalties of usury for a large profit.

4. Interest charges are often disguised by the use of subterfuges to evade the usury law. These subterfuges are so complicated and technical that the usual borrower of small sums is defenseless even if he is aware of the usurious nature of the transaction and of his legal rights.

5. As a result, borrowers of small sums are being exploited, to the injury of the borrower, his dependents, and the general public. Charges are generally exorbitant in relation to those necessary to the conduct of a legitimate small loan business; trickery and fraud are common; and oppressive collection practices are prevalent.

6. These evils characterize and distinguish loans of two hundred dollars ($200)or less. Legislation to control this class of loans is necessary to protect the public welfare.

7. It is the intent of the legislature in enacting this law to bring under public supervision those engaged in the business of making such loans, to eliminate practices that facilitate abuse of borrowers, to establish a system of regulation for the purpose of insuring honest and efficient small loan service and of stimulating competitive reductions in charges, to allow lenders who meet the conditions of this Act a rate of charge sufficiently high to permit a business profit, and to provide the administrative machinery necessary for effective enforcement.

Section 2. Definitions. The following words and terms when used in this Act shall have the following meanings unless the context clearly requires a different meaning. The meaning ascribed to the singular form shall apply also to the plural.

"Person" shall include individuals, co-partnerships, associations, trust, corporations, and any other legal entities.

"License" shall mean a license, issued under the authority of this Act, to make loans in accordance with the provisions of this Act at a single place of business.

"Licensee" shall mean a person to whom one or more licenses have been issued.

"Supervisor" shall mean the Supervisor of the Bureau of Loans of the State Banking Department.

"Bureau" shall mean the Bureau of Loans of the State Banking Department.

"Cash Advance" means the amount of cash or its equivalent that the borrower actually receives or is paid at his direction or on his behalf.

Section 3. Scope (a) No person shall engage in the business of lending in amounts of two hundred dollars ($200) or less and contract for, exact, or receive, directly or indirectly, on or in connection with any such loan, any charges whether for interest, insurance, compensation, consideration, or expense, which in the aggregate are greater than the interest that the lender would be permitted by law to charge for a loan of money if he were not a licensee under this Act, except as provided in and authorized by this Act and without first having obtained a license from the supervisor. For the purpose of this section a loan shall be deemed to be in the amount of two hundred dollars ($200) or less if the net amount or value advanced to or on behalf of the borrower, after deducting all payments for interest, expenses, and charges of any nature taken substantially contemporaneously with the making of the loan, does not exceed two hundred dollars ($200).

(b) Exemptions. This Act shall not apply to any person doing business under the authority of, and as permitted by, any law of this State or of the United States relating to Banks, Savings Banks, Trust Companies, Savings or Building and Loan Associations, Credit Unions as defined by law nor to any lawful, bona fide pawnbroking business nor shall this act apply to any person making loans to their tenants engaged in agriculture, nor to loans by agricultural suppliers to persons whose principal business is farming, nor shall it apply to agricultural credit corporations or associations organized under an Act of the Congress of the United States, nor shall it apply to the business of financing the purchase of motor vehicles, refrigerators or other personal property nor, shall this apply to loans insured or guaranteed by the United States or any of its Agencies.

(c) Evasions. The provisions of subsection (a) of this section shall apply to any person who seeks to evade its application by any device, subterfuge, or pretense whatsoever.

(d) Penalty. Whoever violates or participates in the violation of any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500) nor less than one hundred dollars ($100), or by imprisonment, for not more than six months, or by both such fine and imprisonment, in the discretion of the court. Any contract of loan in the making or collection of which any act shall have been done which violates this section shall be void and the lender shall have no right to collect, receive, or retain any principal, interest, or charges whatsoever.

Section 4. Application and Fee. Application for a license shall be in writing, under oath, and in the form prescribed by the supervisor. The application shall give the approximate location where the business is to be conducted and shall contain such further relevant information as the supervisor may require, including the names and addresses of the partners, officers, directors, or trustees, and of such of the principal own-

ers or members as will provide the basis for the investigations and findings contemplated by section 5 of this Act. At the time of making such application, the applicant shall pay to the supervisor the sum of one hundred dollars ($100) as a fee for investigating the application. All licensees under this Act shall pay an annual license of two hundred dollars ($200) which shall be due on October 1 of each year and shall be for one year ending September 30 following, and shall be delinquent on the first day of November of each year. And there shall be a penalty of ten percent (10%) added to such license upon delinquency and collected by the bureau. If any applicant licensed under this Act for the first time shall commence business after the first day of April in any year, the amount of the license shall be one-half of the amount of a full year's license. The amount of the license (and penalties if any) shall be paid to the supervisor of the bureau of loans, who shall remit the same to the treasurer of the State of Alabama as provided by law. The license herein provided for shall be in addition to all other licenses now or hereafter provided for by law, and shall be in addition to the tax provided for by Chapter 18, Title 51, Code of Alabama (1940) as amended; and the amount of the license levied by this section shall not be credited upon or deducted from, in whole or in part, the tax levied by said Chapter 18, as amended, as to the current state tax year or as to any prior or subsequent state tax year. No refunds for the current or any prior or subsequent state tax year or any portion of the tax levied by said Chapter 18, as amended, shall be made on the ground that the license levied by this section was not credited upon or deducted from the tax levied by said Chapter 18, as amended; and no suit or action shall lie to enforce any claim for such refund.

Section 5. (a) Investigation of Application. Upon the filing of such application and the payment of such fees, the supervisor shall investigate the facts concerning the application and the requirements provided for in subsection (b) of this section. The supervisor shall grant or deny such application for a license within ninety days from the filing thereof with the required information and fees unless the period is extended by written agreement between the applicant and the supervisor.

(b) Issuance of License. If the supervisor shall find that the liquid assets, financial responsibility, experience, character, the general fitness of the applicant are such as to warrant the belief that the business will be operated lawfully, honestly, fairly, and efficiently, within the purposes of this Act, and that allowing such applicant to engage in the business would promote the convenience and advantage of the community in which the business of the applicant is to be conducted, he shall thereupon enter an order granting such application, and file his findings with the bureau, and forthwith issue and deliver a license to the applicant.

(c) Denial of License. If the supervisor shall not so find, he shall notify the applicant in writing who may request a hearing on the application. The request for a hearing must be within thirty (30) days of the rejection with the hearing to be held within thirty (30) days of the date of the request. After such hearing, or, if no hearing is demanded, the supervisor may deny such application by written order, accompanied by his findings of fact, and shall deliver a copy of such order and findings to the applicant. The investigation fee shall be retained by the supervisor while the license fee shall be returned to the applicant.

Section 6. (a) Posting of License. Each license shall state the address at which the business is to be conducted and shall state fully

the name of the licensee, and if the licensee is a co-partnership or association, the names of the members thereof, and if a corporation, the date and place of its incorporation. Each license shall be kept conspicuously posted in the licensed place of business and shall not be transferable or assignable.

(b) Continuing License. Each license shall remain in full force and effect until surrendered, revoked, or suspended as hereinafter provided.

Section 7. (a) Place of Business. Not more than one place of business shall be maintained under the same license, but the supervisor may issue additional licenses to the same licensee upon his compliance with all the provisions of this Act governing the issuance of the first or original license.

(b) Removal. No change in the place of business of a licensee to a location outside of the original municipality shall be permitted under the same license. When a licensee wishes to change his place of business within the same municipality, he shall give written notice thereof to the supervisor who shall investigate the facts, and if he shall find the proposed location is reasonably accessible to borrowers under existing loan contracts, he shall enter an order permitting the change and shall amend the license accordingly. If the supervisor shall not so find he shall enter an order denying the licensee such permission in the manner specified in and subject to the provisions of Section 5 (c) of this Act.

(c) Residence of Borrower. Nothing in this Act shall be construed to restrict the loans of any licensee to residents of the community in which the licensed place of business is situated.

Section 8. (a) Revocation of License. The supervisor shall, upon ten days' written notice to the licensee stating the contemplated action and in general the grounds therefor, and upon reasonable opportunity to be heard, revoke any license issued hereunder if he finds that:

1. The licensee has failed to pay the annual license fee; or that

2. The licensee, either knowingly or without the exercise of due care to prevent the same, has violated any provisions of this Act or any regulation or order lawfully made pursuant to and within the authority of this Act; or that

3. Any fact or condition exists which, if it had existed or had been known to exist at the time of the original application for such license, clearly would have justified the supervisor in refusing originally to issue such license, except the license shall not be revoked because of convenience and advantage; or that

4. The licensee is found guilty by the supervisor of using unreasonable collection tactics.

(b) Suspension of License. If the supervisor finds that probable cause for revocation of any license exists and that enforcement of the Act requires immediate suspension of such license pending investigation, he may, upon three days' written notice and a hearing, enter an order suspending such license for a period not exceeding thirty days.

(c) Record and Notice. Whenever the supervisor shall revoke or suspend a license issued pursuant to this Act, he shall enter an order to that effect and forthwith notify the licensee of the revocation or sus-

pension. Within five days after the entry of such an order he shall file with the bureau his findings and a summary of the evidence supporting them, and he shall forthwith deliver a copy thereof to the licensee.

(d) Surrender of License. Any licensee may surrender any license by delivering it to the supervisor with written notice of its surrender, but such surrender shall not affect his civil or criminal liability for acts committed prior thereto.

(e) Pre-Existing Contracts. No revocation, suspension, or surrender of any license shall impair or affect the obligation of any pre-existing contract between the licensee and any borrower.

(f) Reinstatement of License. The supervisor may reinstate suspended licenses or issue new licenses to a person; whose license or licenses have been revoked if no fact or condition then exists which clearly would have justified the supervisor in refusing originally to issue such license under this Act.

(g) Complaints of Violation Investigated. The supervisor shall, upon sworn complaint of any borrower, investigate or cause to be investigated any alleged violation of this Act.

Section 9. (a) Annual Examinations of Licensees. At least once each year and at such other time as may be deemed necessary by the supervisor of the bureau of loans an examination shall be made of the place of business of each licensee and of the loans, transactions, books, papers and records of such licensee so far as they pertain to the business licensed under this Act. As cost of examination the licensee shall pay to the bureau of loans under such rules and regulations as may be reasonably prescribed by the supervisor thereof with the approval of the superintendent of banks and examining fee of fifty dollars ($50) per day or any part thereof for each examiner and in addition thereto ten dollars ($10) per day per examiner as per diem; provided, however, that no licensee whose business is free from willful violations of this Act shall be required to pay more than a total sum of four hundred dollars ($400) in any twelve (12) month period as examiners fees; provided, further, that all fees collected by the bureau of loans under the terms of this section shall be paid into a special fund to be set up by the State Treasury; the special fund shall be used to pay the salaries of the officials and employees and the expenses of the bureau of loans, and all moneys deposited therein are hereby appropriated for that purpose; provided, however, nothing herein shall be construed to mean that all salaries of the officials and employees and expenses of operating the bureau of loans shall come from the special fund.

(b) Investigations. For the purpose of discovering violations of this Act or of securing information lawfully required hereunder, the supervisor or his duly authorized representatives may at any time investigate the business and examine the books, accounts, papers, and records used therein, of (1) any licensee, (2) any other person engaged in the business described in Section 3 (a) of this Act or participating in such business as principal, agent, broker, or otherwise, and (3) any person who the supervisor had reasonable cause to believe is violating or is about to violate any provision of this Act, whether or not such person shall claim to be within the authority or beyond the scope of this Act. For purposes of this section, any person who shall advertise for, solicit, or hold himself out as willing to make loan transactions in the amount or of the value of two hundred dollars ($200) or less shall be presumed to be engaged in the business described in Section 3 (a) of this Act.

(c) Access To Records: Witnesses. For the purposes of this section, the supervisor or his duly authorized representatives shall have and be given free access to the offices and places of business, files, safes, and vaults of all such persons, and shall have authority to require the attendance of any person and to examine him under oath relative to such loans or such business or to the subject matter of any examination, investigation, or hearing.

(d) Cease and Desist Orders: Injunctions; Receivers. Whenever the supervisor has reasonable cause to believe that any person is violating or is threatening to or intends to violate any provision of this Act, he may in addition to all actions provided for in this Act, and in addition to all other remedies that he may have at law or in equity, and without prejudice thereto enter an order requiring such person to desist or to refrain from such violation; and an action may be brought on the relation of the Attorney General or the supervisor to enjoin such person from engaging in or continuing such violation or from doing any act or acts in furtherance thereof. In any such action, an order or judgment may be entered awarding such preliminary or final injunction as may be deemed proper. In addition to all other means provided by law for the enforcement of a restraining order or injunction, the court in which such action is brought shall have power and jurisdiction to impound, and to appoint a receiver for the property and business of the defendant, including books, papers, documents, and records pertaining thereto or so much thereof as the court may deem reasonably necessary to prevent violations of this Act through or by means of the use of said property and business. Such receiver, when appointed and qualified, shall have such powers and duties as to custody, collection, administration, winding up, and liquidation of such property and business as shall from time to time be conferred upon him by the court.

Section 10. (a) Books and Records. Each licensee shall keep and use in his business such books, accounts, and records as will enable the supervisor to determine whether such licensee is complying with the provisions of this Act and with the orders and regulations lawfully made by the supervisor hereunder. Each licensee shall preserve such books, accounts, and records for at least two years after making the final entry on any loan recorded therein.

(b) Annual Reports. (1) Each licensee shall annually, on or before the first day of May, file a report with the supervisor as to each licensed place of business under this Act, covering the preceding calendar year. This report shall include the following information, all reported in accordance with sound and generally accepted accounting practice;

(a) Balance sheets at the beginning and end of the period.

(b) A statement of income and expense for the period.

(c) A reconciliation of surplus or net earnings with the balance sheets.

(d) A schedule of assets used and useful in the business.

(e) An analysis of charges, sizes of loans and types of security on loans and an analysis of delinquent accounts.

(f) An analysis of suits, repossessions and sales of chattels.

(g) The type of business organization and if the licensee is a corporation, the principal officers and the resident agent, the partners, if the licensee is a partnership or, the owner, if a sole proprietorship.

(2) If the licensee conducts other business or is affiliated with other licensees under this Act, or, if any other situation exists under which allocations are necessary, the licensee shall make such allocation according to appropriate and reasonable methods.

(3) If the licensee is affiliated with other licensees under this Act, a composite report may be filed on behalf of all affiliated licensees within the State of Alabama, but such composite report shall not be required by the supervisor.

(4) Such report shall be made under oath and shall be in the form prescribed by the supervisor who shall make and publish annually an analysis and recapitulation of such reports.

Section 11. (a) Rules, Regulations and Orders. The supervisor shall have authority to make reasonable rules, regulations and orders for the administration and enforcement of this Act, in addition hereto and not inconsistent herewith. Such regulation or order shall be referenced to the section or sections of the Act which set forth the legislative standard which it interprets or to which it applies. Every regulation shall be promulgated by an order, and any ruling, demand, requirement, or similar administrative act may be promulgated by an order. Every order shall be in writing, shall state its effective date and the date of its promulgation, and shall be entered in an indexed permanent book which shall be a public record. A copy of every order promulgating a regulation and of every other order containing a requirement of general application shall be mailed to each licensee at least ten days before the effective date thereof. The failure of a licensee to receive a copy of the regulations shall not exempt him from the duty of compliance with the valid regulations lawfully issued.

(b) Certified Copies of Official Documents. On application of any person and payment of the costs thereof, the supervisor shall furnish, under his seal and signed by him or his deputy, a certified copy of any license, regulation, or order. In any court or proceeding such copy shall be prima facie evidence of the fact of the issuance of such license, regulation or order.

Section 12. (a) Advertising. No licensee or other person subject to this Act shall advertise, display, distribute, or broadcast or cause or permit to be advertised, displayed, distributed, or broadcast, in any manner whatsoever, any false, misleading, or deceptive statement or representation with regard to the rates, terms, or conditions for loans in the amount or of the value of two hundred dollars ($200) or less. The supervisor may require that charges or rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers. The supervisor may permit or require licensees to refer in their advertising to the fact that their business is under state supervision, subject to conditions imposed by him to prevent an erroneous impression as to the scope or degree of protections provided by this Act.

(b) Schedule of Charges. Each licensee shall prominently display in each licensed place of business a full and accurate schedule of the rates of charge upon all classes of loans currently to be made by him.

Section 13. (a) Other Business in Same Office. No licensee shall conduct the business of making loans under this Act within any office, suite, room, or place of business in which any other business is solicited or engaged in or in association or conjunction with any other business until three days' written notice of an intention so to do has been given

the supervisor. Upon receipt of written notification, the supervisor may investigate the facts and, if he finds that the character of the licensee and the nature of the other business warrant belief that such conduct of business would conceal violation or evasion of this Act or of regulations lawfully made hereunder, he shall enter an order directing the licensee to discontinue said other business. The order shall be entered in the manner specified in and subject to the provisions of Section 5 (c) of this Act.

(b) Business Confined to Licensed Office. No licensee shall conduct the business of making loans provided for by this Act under any name, or at any place of business within this state, other than that stated in the license. Nothing herein shall prevent the making of loans by mail nor prohibit accommodations to individual borrowers when necessitated by sickness or other emergency situations.

(c) Liens on Property. No licensee shall take a lien upon any property, either real or personal, as security for any loan of two hundred dollars ($200) and under made under this Act, except such lien as is created by law through the rendition or recording of a judgment.

Section 14. (1) Maximum Rate of Charge. Every licensee hereunder may contract for and receive, on any cash advanced (amount of the cash, or its equivalent, that the borrower actually receives or is paid out at his direction or on his behalf) not exceeding two hundred dollars ($200) in amount, charges not in excess of twenty dollars ($20) per year per one hundred dollars ($100) on that part of the cash advanced not exceeding one hundred dollars ($100) and sixteen dollars ($16) per year per one hundred dollars ($100) on that part of the cash advanced exceeding one hundred dollars ($100) but not exceeding two hundred dollars ($200), when the cash advanced is made for a period of one year, and proportionately at these rates for a greater or lesser amount within said limits or for a greater or lesser period of time, notwithstanding any agreement to repay the loan obligation in installments. Said charges and the cash advanced shall be aggregated at the date of the loan for the entire period of the loan and this aggregated amount shall be repayable in installments in the manner provided in subsection 7 of this section. For the purpose of computing charges for a fraction of a month, a day shall be considered one-thirtieth of a month.

(2) Charges on Loans of Ninety Dollars ($90) or less. On a cash advance of ninety dollars ($90) or less a licensee may charge, in lieu of charges specified in subsection (1) of this section, not in excess of one dollar ($1) for each five dollars ($5) of cash advanced to the borrower, up to the amount of ninety dollars ($90); and a period of at least fifteen (15) days must be allowed for the repayment of each five dollars ($5) of the cash advanced, such charges cannot be assessed by any subterfuge or device on any loan over ninety dollars ($90) or on any balance of ninety dollars ($90) or less when the original cash advanced was greater than ninety dollars ($90).

(2-A) Charges on Loans of Fifteen Dollars ($15) or Less. On a cash advance of fifteen dollars ($15) or less a licensee may charge, collect and receive, in lieu of charges specified in subsections (1) and (2) of this section, not in excess of one dollar for each five dollars ($5) of cash advanced to the borrower up to the amount of fifteen dollars ($15); and a period of at least fifteen (15) days must be allowed for the repayment of each such loan; such charges cannot be assessed by any subterfuge or device on any loan over fifteen dollars ($15) or on any balance of fifteen dollars ($15) or less when the original cash advanced was greater than fifteen dollars ($15).

(3) Refund. When any loan contract is paid in full by cash, a new loan, renewal or otherwise, one month or more before the final installment date, the licensee shall refund or credit the borrower with that portion of the total charges which shall be due the borrower as determined by schedules prepared under the rules of 78ths or sum of the digits principle as follows: The amount of the refund or credit shall be as great a proportion of the total charges originally contracted for as the sum of the periodic time balances of the contract scheduled to follow the date of pre-payment bears to the sum of all the periodic time balances of the contract, both sums to be determined according to the payment schedule originally contracted for. No refund shall be required for any partial prepayment and no refund of less than one dollars ($1) need be made.

(4) Default or Extension Charges. If the contract so provides the additional charge for any installment past due five (5) or more days, whether by reason of default or extension agreement, may be five per cent (5%) of the installment past due and said amount may be charged once and no more.

(5) Recording Fees. The licensee may collect from the borrower the actual fees paid a public official, or agency of the State, for filing, recording or releasing any instrument securing the loan.

(6) No Further Charges, no Splitting Contracts, Certain Contracts Void. No further or other charges shall be directly or indirectly contracted for or received by any licensee except those specifically authorized by this Act. No licensee shall divide into separate parts any contract made for the purpose of or with the effect of obtaining charges in excess of those authorized by this Act. All balances due to a licensee from any person, as a borrower, or as an endorser, guarantor or surety for any borrower or otherwise, or due from any husband or wife, jointly or severally, shall be considered a part of any loan being made by a licensee to such person for the purpose of computing charges. If any amount in excess of the charges permitted by this Act is charged, contracted for, or received, except as the result of an accidental and bona fide error of computation, the contract of loan shall be void and the licensee shall have no right to collect or receive any cash advanced, charges or recompense whatsoever. Any borrower may recover the full amount of principal and charges paid by him on any contract made in violation of this section, together with a reasonable attorney fee, by action at law or in equity brought within twelve months from the date of the last payment of principal or charges on such contract.

(7) Installment Payment, Contract Period. No licensee shall enter into any contract of loan under this Act in which the borrower agrees to make any scheduled repayment of the cash advance more than twenty-five (25) calendar months from the date of making such contract of loan. Every loan contract shall require payment of the cash advance and charges in installments which shall be payable at approximately equal periodic intervals except that payment dates may be omitted to accommodate borrowers with seasonable incomes. No installment contracted for shall be substantially larger than any preceding installment. When a loan contract provides for monthly installments, the first installment may be payable at any time within forty-five (45) days of the date of the loan and the charges for the number of days in excess of thirty (30) from the date of making may be added to the scheduled amount of said installment.

(8) Interest as provided in this Act shall not accrue or be recovered or charged on any loan made under this Act for any longer

than six months after the due date of the final installment of principal or interest. After the expiration of said six months period interest may be charged at a rate not to exceed eight per cent per annum.

Section 15. (a) Requirements for Making and Payment of Loans. Every licensee shall:

1. At the time a loan is made deliver to the borrower or if there be two or more borrowers, to one of them a copy of the loan contract, or a written statement in the English language showing in clear and distinct terms:

(i) The name and address of the lender and one of the primary obligors on the loan;

(ii) The date of the loan contract;

(iii) Schedule of installments or description thereof;

(iv) The cash advance;

(v) The face amount of the note evidencing the loan;

(vi) The amount collected or paid for insurance, if any;

(vii) The amount collected or paid for filing or other fees allowed by this Act;

(viii) The collateral or security for the loan.

2. Give to the person making any cash payment on account of any loan a receipt at the time such payment is made which receipt need only show the total amount of such cash payment. No receipt shall be required in the case of payments made by the borrower's check or money order, and the use of a coupon book system shall be deemed in compliance with this section.

3. Permit the payment to be made in advance in any amount on any contract of loan at any time during a licensee's regular business hours.

4. Upon repayment of the loan in full, mark plainly every obligation and security signed by any obligor with the word "Paid" or "Cancelled," and release any mortgage, restore any pledge, and cancel and return any note and any assignment given to the licensee.

(b) Confessions of Judgment; Incomplete Instruments. No licensee shall (1) take any confession of judgment or any power of attorney running to himself or to any third person to confess judgment or to appear for the borrower in a judicial proceeding; nor (2) take any note, promise to pay that does not disclose the total amount to be repaid, a schedule of payments or a description thereof, and the agreed rate or aggregate amount of charge, nor any instrument in which blanks are left to be filled in after execution.

Section 16. Additional Security for Loans.

(1) On loans in amounts of one hundred dollars ($100) or more, a licensee may accept as additional security for a loan, insurance written on the life of one of the principal obligors under the loan contract. Such insurance must be reasonably related to the hazard or risk of the loan and must not exceed the term of the loan or the approximate amount of the indebtedness at any time during the life thereof.

(2) The premium, or identifiable charge, collected by licensee or its officers, agents or employees on life insurance shall not exceed the lowest premium or identifiable charge for such insurance as filed with and approved by the insurance commissioner of the State of Alabama by a company licensed to do business in the State of Alabama and writing such insurance; provided however that in no event shall the premium or identifiable charge exceed $1.00 per annum for each $100 of life insurance.

(3) Every insurance policy or certificate written in connection with the loan transaction shall provide for cancellation of the coverage and a refund of the unearned premium or identifiable charge upon the discharge of the loan obligation for which such insurance is security, without prejudice to any claim. Such refund shall be made under a formula filed by the insurer with the department of insurance except no refund of less than $1.00 need be made.

(4) In accepting such insurance as security for the loan, the licensee, or an employee, may deduct the premiums or identifiable charge for such insurance from the proceeds of the loan and transmit them to the insurance company.

(5) Any gain or advantage in the form of commission or otherwise, to the licensee or to any employee, affiliate or associate of the licensee from such insurance or its sale shall not be considered an additional or further charge in connection with the loan.

(6) All such insurance shall be written by a company authorized to conduct business in this state and the licensee shall not require the purchase of such insurance from any agent or broker designated by the licensee, nor shall the licensee decline existing coverages which equal or exceed the standards of this section.

Section 16½. Loans of More Than Two Hundred Dollars ($200). No licensee who makes a loan in excess of two hundred dollars ($200) shall charge, contract for or receive interest in excess of the rates prescribed in Sections 60 or 61 of Title 9, Code of Alabama, 1940, as amended. The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or as endorser, guarantor, or surety for any borrower, or otherwise or any husband and wife jointly or severally, to owe directly or contingently, or both, to the licensee at any time a sum of more than two hundred dollars ($200) for principal. The supervisor may suspend or revoke the license of any licensee who violates this section, in the manner prescribed by Section 8 of this Act, and the penalties provided for in Section 23 (c) of this Act shall apply to any person, firm or corporation violating this section.

Section 17. Loans made Elsewhere. Any loans made outside this state in accordance with the law applicable to such loan in the state in which the loan was made may be collected in this state.

Section 18. Review. In addition to any other remedy he may have, any licensee and any person considering himself aggrieved by any act or order of the supervisor hereunder may, within thirty days from the entry of the order complained of, or within sixty days of the act complained of if there is no order, petition the circuit court of Montgomery County to review such act or order; provided such petition shall be docketed, heard and tried in the same manner as other extraordinary writs issued by the court and a copy of the petition and order setting the same for hearing shall be served on the supervisor, giving him such notice of the time and place of the hearing as may be directed by the court.

Section 19. Suits on Debts. In any suit filed on any debt or evidence of any indebtedness governed hereby in any court, the judge thereof shall not render any judgment by default, nil dicit or otherwise until he has heard the testimony of the licensee or of a representative of such licensee, and the judge must on his own motion interrogate such licensee or such other witness to determine whether there has been any violation of the provisions of this Act and whether any charges have been contracted for, made or received in excess of the amount allowed under this Act. If it be made to appear that the provisions of this Act have been violated or that charges in excess of those allowed have been contracted for, made or received, then the suit shall be dismissed at the cost of the plaintiff. In any such suit the plaintiff must allege that he is a licensee under this Act, and if such plaintiff is subject to this Act and fails to allege in his complaint that he is a licensee hereunder, or if it is shown to the court that he is subject to this Act and is not a licensee then the court ex mero motu shall dismiss the suit at the cost of the plaintiff. No garnishment shall issue in such suit or in connection therewith until after judgment has been rendered.

Section 20. Pre-Existing Contracts. This Act or any part thereof may be modified, amended, or repealed so as to effect a cancellation or alteration of any license or right of a licensee hereunder, provided that such cancellation or alteration shall not impair or affect the obligation of any pre-existing lawful contract between any licensee and any borrower.

Section 21. Status of Pre-Existing Licensees. Any person having a license under Act No. 159, H. 233, approved June 23, 1945, (General Acts of Alabama, 1945, page 200), as amended, in force when this Act becomes effective, or had such a license in effect on September 30, 1959, shall be deemed to have a license under this Act for a period expiring six months after the effective date hereof, if not sooner revoked. Any such license so continued in effect under the provisions of this Act shall be subject to revocation during such six months' period as provided in Section 8 of this Act; except that such license may not be revoked nor shall an application for a new license be denied upon the ground that the convenience and advantage of such community will not be promoted by the operation therein of such business.

Section 22. Records. (a) The supervisor shall cause to be kept on file in the bureau of loans, open to public inspection during business hours, an alphabetical listing of all licensees doing business in Alabama; and such list shall reveal the true ownership of the licensee companies. If the company is a corporation, the list shall indicate the name of the corporation, the address of the home office, and the names and addresses of its officers and directors.

(b) Except as provided in subsection (a) of this section, all applications, reports, and other papers and documents submitted by licensees to the supervisor or to the bureau shall be open to public inspection only upon approval of the supervisor; but the supervisor shall not deny any person access to such records when the disclosure thereof to such person is in the public interest.

Section 23. (a) Repealer. The provisions of Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200), as amended, in conflict herewith are hereby repealed. And all other laws or parts of laws which conflict with this Act are also repealed. But such repeal shall not be considered an abolition of the bureau of loans, whose existence is hereby continued as a state agency, for the purpose of administering and enforcing this Act.

(b) Status of Pre-Existing Obligations. Nothing herein contained shall be so construed as to impair or affect the obligation of any contract of loan between any licensee under Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200), as amended, and any borrower which was entered into prior to the effective date of this Act.

(c) Any person, firm, corporation or association who shall wilfully violate any of the provisions of this Act for which a specific penalty is not herein specifically provided shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars ($500), nor less than one hundred dollars ($100), or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

Section 24. If a part of this Act is invalid, all valid parts that are severable from the invalid parts remain in effect. If a part of the Act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 25. Citation of Act. This Act shall be known and may be cited as the "Alabama Small Loan Act."

Section 26. Effective Date. This Act shall become effective 60 days after its passage and approval by the Governor, or 60 days after its otherwise becoming a law.

MOTION TO ADJOURN LOST

At 2:19 P. M., Mr. Eddins moved that the Senate adjourn until Wednesday, October 21, 1959, at 10 o'clock A. M., which motion was lost.

Yeas 5; Nays 27.

Yeas:

Messrs.:	Cooper	Haltom	Samford	
Andrews	Eddins			—5

Nays:

Messrs.:	Farmer	Hines	Rutledge	
Barnett	Gaither	Jones	Shelton	
Berryman	Givhan	Kendall	Turner	
Caffey	Godfrey	Leonard	Webb	
Crawford	Golson	Porter	Wilson	
deGraffenried	Graham	Roberts	Word	
Dumas	Green	Robison	Wyatt	
				—27

FURTHER CONSIDERATION OF H. B. 102

The Senate proceeded to further consideration of the Bill, H. B. 102. The question was on the substitute offered by Mr. Webb, for the Bill and pending amendment.

Mr. deGraffenried offered the following substitute for the substitute offered by Mr. Webb for the Bill, H. B., 102, and pending amendment, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Declaration of Legislative Intent. The Legislature finds as facts and determines that:

1. There exists among citizens of this state a widespread demand for small loans. The scope and intensity of this demand have been increased progressively by many social and economic forces.

2. The expense of making and collecting small loans, which are usually made on camparatively unsubstantial security to wage-earners, salaried employees and other persons of relatively low incomes is necessarily high in relation to the amounts lent.

3. Such loans cannot be made profitably under the limitations imposed by existing laws relating to interest and usury. These limitations have tended to exclude lawful enterprises from the small loan field. Since the demand for small loans cannot be legislated out of existence, many small borrowers have been left to the mercy of those willing to bear the approbrium and risk the penalties of usury for a large profit.

4. Interest charges are often disguised by the use of subterfuges to evade the usury law. These subterfuges are so complicated and technical that the usual borrower of small sums is defenseless even if he is aware of the usurious nature of the transaction and of his legal rights.

5. As a result, borrowers of small sums are being exploited, to the injury of the borrower, his dependents, and the general public. Charges are generally exorbitant in relation to those necessary to the conduct of a legitimate small loan business; trickery and fraud are common; and oppressive collection practices are prevelent.

6. These evils characterize and distinguish loans of five hundred dollars ($500) or less. Legislation to control this class of loans is necessary to protect the public welfare.

7. It is the intent of the legislature in enacting this law to bring under public supervision those engaged in the business of making such loans, to eliminate practices that facilitate abuse of borrowers, to establish a system of regulation for the purpose of insuring honest and efficient small loan service and of stimulating competitive reductions in charges, to allow lenders who meet the conditions of this Act a rate of charge sufficiently high to permit a business profit, and to provide the administrative machinery necessary for effective enforcement.

Section 2. Definitions. The following words and terms when used in this Act shall have the following meanings unless the context clearly requires a different meaning. The meaning ascribed to the singular form shall apply also to the plural.

"Person" shall include individuals, co-partnerships, associations, trusts, corporations, and any other legal entities.

"License" shall mean a license, issued under the authority of this Act, to make loans in accordance with the provisions of this Act at a single place of business.

"Licensee" shall mean a person to whom one or more licenses have been issued.

"Supervisor" shall mean the Supervisor of the Bureau of Loans of the State Banking Department.

"Bureau" shall mean the Bureau of Loans of the State Banking Department.

"Cash Advance" means the amount of cash or its equivalent that the borrower actually receives or is paid at his direction or on his behalf.

Section 3. Scope (a) No person shall engage in the business of lending in amounts of five hundred dollars ($500) or less and contract for, exact, or receive, directly or indirectly, on or in connection with any such loan, any charges whether for interest, insurance, compensation, consideration, or expense, which in the aggregate are greater than the interest that the lender would be permitted by law to charge for a loan of money if he were not a licensee under this Act, except as provided in and authorized by this Act and without first having obtained a license from the supervisor. For the purpose of this section a loan shall be deemed to be in the amount of five hundred dollars ($500) or less if the net amount or value advanced to or on behalf of the borrower, after deducting all payments for interest, expenses, and charges of any nature taken substantially contemporaneously with the making of the loan, does not exceed five hundred dollars ($500).

(b) Exemptions. This Act shall not apply to any person doing business under the authority of, and as permitted by, any law of this State or of the United States relating to Banks, Savings Banks, Trust Companies, Savings or Building and Loan Associations, Credit Unions as defined by law nor to any lawful, bona fide pawnbroking business nor shall this act apply to any person making loan to their tenants engaged in agriculture, nor to loans by agricultural suppliers to persons whose principal business is farming, nor shall it apply to the business of financing the purchase of motor vehicles, refrigerators or other personal property nor, shall this apply to loans insured or guaranteed by the United States or any of its Agencies.

(c) Evasions. The provisions of subsection (a) of this section shall apply to any person who seeks to evade its application by any device, subterfuge, or pretense whatsoever including, but not thereby limiting the generality of the foregoing: the loan, forbearance, use, or sale of credit (as guarantor, surety, endorser, co-maker, or otherwise), money, insurance, goods, or things in action; the use of collateral or related sales or purchases of goods or services, or agreements to sell or purchase, whether real or pretended; receiving or charging compensation for goods or services, whether or not sold, delivered, or provided; and the real or pretended negotiation, arrangement, or procurement of a loan through any use or activity of a third person, whether real or fictitious.

(d) Penalty. Whoever violates or participates in the violation of any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500) nor less than one hundred dollars ($100), or by imprisonment for not more than six months, or by both such fine and

imprisonment, in the discretion of the court. Any contract of loan in the making or collection of which any act shall have been done which violates this section shall be void and the lender shall have no right to collect, receive, or retain any principal, interest, or charges whatsoever.

Section 4. Application and Fee. Application for a license shall be in writing, under oath, and in the form prescribed by the supervisor provided however, that such application shall contain a statement made by applicant under oath that he is not at the time of making the application a member of the National Association for the Advancement of Colored People or of the Communist Party or of any front thereof and that he has not prior to making said application contributed funds to any such organization and that he has never been a member of any such organization. The application shall give the approximate location where the business is to be conducted and shall contain such further relevant information as the supervisor may require, including the names and addresses of the partners, officers, directors, or trustees, and of such of the principal owners or members as will provide the basis for the investigations and findings contemplated by section 5 of this Act. At the time of making such application, the applicant shall pay to the supervisor the sum of one hundred dollars ($100) as a fee for investigating the application. All licensees under this Act shall pay an annual license of two hundred dollars ($200) which shall be due on October 1 of each year and shall be for one year ending September 30 following, and shall be delinquent on the first day of November of each year. And there shall be a penalty of ten percent (10%) added to such license upon delinquency and collected by the bureau. If any applicant licensed under this Act for the first time shall commence business after the first day of April in any year, the amount of the license shall be one-half of the amount of a full year's license. The amount of the license (and penalties if any) shall be paid to the supervisor of the bureau of loans, who shall remit the same to the treasurer of the State of Alabama as provided by law. The license herein provided for shall be in addition to all other licenses now or hereafter provided for by law, and shall be in addition to the tax provided for by Chapter 18, Title 51, Code of Alabama (1940) as amended; and the amount of the license levied by this section shall not be credited upon or deducted from, in whole or in part, the tax levied by said Chapter 18, as amended, as to the current state tax year or as to any prior or subsequent state tax year. No refunds for the current or any prior or subsequent state tax year or any portion of the tax levied by said Chapter 18, as amended, shall be made on the ground that the license levied by this section was not credited upon or deducted from the tax levied by said Chapter 18, as amended; and no suit or action shall lie to enforce any claim for such refund.

Section 5. (a) Investigation of Application. Upon the filing of such application and the payment of such fees, the supervisor shall investigate the facts concerning the application and the requirements provided for in subsection (b) of this section. The supervisor shall grant or deny such application for a license within ninety days from the filing thereof with the required information and fees unless the period is extended by written agreement between the applicant and the supervisor.

(b) Issuance of License. If the supervisor shall find that the liquid assets, financial responsibility, experience, character, the general fitness of the applicant are such as to warrant the belief that the business will be operated lawfully, honestly, fairly, and efficiently, within the purposes of this Act, and that allowing such applicant to

engage in the business would promote the convenience and advantage of the community in which the business of the applicant is to be conducted, he shall thereupon enter an order granting such application, and file his findings with the bureau, and forthwith issue and deliver a license to the applicant.

(c) Denial of License. If the supervisor shall not so find he shall notify the applicant in writing who may request a hearing on the application. The request for a hearing must be within thirty (30) days of the rejection with the hearing to be held within thirty (30) days of the date of the request. After such hearing, or, if no hearing is demanded, the supervisor may deny such application by written order, accompanied by his findings of fact, and shall deliver a copy of such order and findings to the applicant. The investigation fee shall be retained by the supervisor while the license fee shall be returned to the applicant.

Section 6. (a) Posting of License. Each license shall state the address at which the business is to be conducted and shall state fully the name of the licensee, and if the licensee is a co-partnership or association, the names of the members thereof, and if a corporation, the date and place of its incorporation. Each license shall be kept conspicuously posted in the licensed place of business and shall not be transferable or assignable.

(b) Continuing License. Each license shall remain in full force and effect until surrendered, revoked, or suspended as hereinafter provided.

Section 7. (a) Place of Business. Not more than one place of business shall be maintained under the same license, but the supervisor may issue additional licenses to the same licensee upon his compliance with all the provisions of this Act governing the issuance of the first or original license.

(b) Removal. No change in the place of business of a licensee to a location outside of the original municipality shall be permitted under the same license. When a licensee wishes to change his place of business within the same municipality, he shall give written notice thereof to the supervisor who shall investigate the facts, and if he shall find the proposed location is reasonably accessible to borrowers under existing loan contracts, he shall enter an order permitting the change and shall amend the license accordingly. If the supervisor shall not so find he shall enter an order denying the licensee such permission in the manner specified in and subject to the provisions of Section 5 (c) of this Act.

(c) Residence of Borrower. Nothing in this Act shall be construed to restrict the loans of any licensee to residents of the community in which the licensed place of business is situated.

Section 8. (a) Revocation of License. The supervisor shall, upon ten days' written notice to the licensee stating the contemplated action and in general the grounds therefor, and upon reasonable opportunity to be heard, revoke any license issued hereunder if he finds that:

1. The licensee has failed to pay the annual license fee; or that

2. The licensee, either knowingly or without exercise of due care to prevent the same, has violated any provisions of this Act or

any regulation or order lawfully made pursuant to and within the authority of this Act; or that

3. Any fact or condition exists which, if it had existed or had been known to exist at the time of the original application for such license, clearly would have justified the supervisor in refusing originally to issue such license, except the license shall not be revoked because of convenience and advantage; or that

4. The licensee is found guilty by the supervisor or using unreasonable collection tactics.

(b) Suspension of License. If the supervisor finds that probable cause for revocation of any license exists and that enforcement of the act requires immediate suspension of such license pending investigation, he may, upon three days' written notice and a hearing, enter an order suspending such license for a period not exceeding thirty days.

(c) Record and Notice. Whenever the supervisor shall revoke or suspend a license issued pursuant to this Act, he shall enter an order to that effect and forthwith notify the licensee of the revocation or suspension. Within five days after the entry of such an order he shall file with the bureau his findings and a summary of the evidence supporting them, and he shall forthwith deliver a copy thereof to the licensee.

(d) Surrender of License. Any licensee may surrender any license by delivering it to the supervisor with written notice of its surrender, but such surrender shall not affect his civil or criminal liability for acts committed prior thereto.

(e) Pre-Existing Contracts. No revocation, suspension, or surrender of any license shall impair or affect the obligation of any preexisting contract between the licensee and any borrower.

(f) Reinstatement of License. The supervisor may reinstate suspended licenses or issue new licenses to a person; whose license or licenses have been revoked if no fact or condition then exists which clearly would have justified the supervisor in refusing originally to issue such license under this Act.

(g) Complaints of Violation Investigated. The supervisor shall, upon sworn complaint of any borrower, investigate or cause to be investigated any alleged violation of this Act.

Section 9. (a) Annual Examination of Licensees. At least once each year and at such other time as may be deemed necessary by the supervisor of the bureau of loans an examination shall be made of the place of business of each licensee and of the loans, transactions, books, papers and records of such license so far as they pertain to the business licensed under this Act. As cost of examination the licensee shall pay to the bureau of loans under such rules and regulations as may be reasonably prescribed by the supervisor thereof with the approval of the superintendent of banks an examining fee of fifty dollars ($50) per day or any part thereof for each examiner and in addition thereto ten dollars ($10) per day per examiner as per diem; provided, however, that no licensee whose business is free from wilfull violations of this Act shall be required to pay more than a total sum of two hundred dollars ($200) in any twelve (12) month period as examiners fees; provided, further, that all fees collected by the bureau of loans under the terms of this section shall be paid into a special fund to

be set up by the State Treasury; the special fund shall be used to pay the salaries of the officials and employees and the expenses of the bureau of loans, and all moneys deposited therein are hereby appropriated for that purpose; provided, however, nothing herein shall be construed to mean that all salaries of the officials and employees and expenses of operating the bureau of loans shall come from the special fund.

(b) Investigations. For the purpose of discovering violations of this Act or of securing information lawfully required hereunder, the supervisor or his duly authorized representatives may at any time investigate the business and examine the books, accounts, papers, and records used therein, of (1) any licensee, (2) any other person engaged in the business described in Section 3 (a) of this Act or participating in such business as principal, agent, broker, or otherwise, and (3) any person who the supervisor had reasonable cause to believe is violating or is about to violate any provision of this Act, whether or not such person shall claim to be within the authority or beyond the scope of this Act. For purposes of this section, any person who shall advertise for, solicit, or hold himself out as willing to make loan transactions in the amount or of the value of five hundred dollars ($500) or less shall be presumed to be engaged in the business described in Section 3 (2) of this Act.

(c) Access To Records: Witnesses. For the purposes of this section, the supervisor or his duly authorized representatives shall have and be given free access to the offices and places of business, files, safes, and vaults of all such persons, and shall have authority to require the attendance of any person and to examine him under oath relative to such loans or such business or to the subject matter of any examination, investigation, or hearing.

(d) Cease and Desist Orders: Injunctions; Receivers. Whenever the supervisor has reasonable cause to believe that any person is violating or is threatening to or intends to violate any provision of this Act, he may in addition to all actions provided for in this Act, and in addition to all other remedies that he may have at law or in equity, and without prejudice thereto enter an order requiring such person to desist or to refrain from such violation; and an action may be brought on the relation of the Attorney General or the supervisor to enjoin such person from engaging in or continuing such violation or from doing any act or acts in furtherance thereof. In any such action, an order or judgment may be entered awarding such preliminary or final injunction as may be deemed proper. In addition to all other means provided by law for the enforcement of a restraining order or injunction, the court in which such action is brought shall have power and jurisdiction to impound, and to appoint a receiver for the property and business of the defendant, including books, papers, documents, and records pertaining thereto or so much thereof as the court may deem reasonably necessary to prevent violations of this Act through or by means of the use of said property and business. Such receiver, when appointed and qualified, shall have such powers and duties as to custody, collection, administration, winding up, and liquidation of such property and business as shall from time to time be conferred upon him by the court.

Section 10. (a) Books and Records. Each licensee shall keep and use in his business such books, accounts, and records as will enable the supervisor to determine whether such licensee is complying with the provisions of this Act and with the orders and regulations lawfully made by the supervisor hereunder. Each licensee shall preserve

such books, accounts, and records for at least two years after making the final entry on any loan recorded therein.

(b) Annual Reports. (1) Each licensee shall annually, on or before the first day of May, file a report with the supervisor as to each licensed place of business under this Act, covering the preceding calendar year. This report shall include the following information, all reported in accordance with sound and generally accepted accounting practice;

(a) Balance sheets at the beginning and end of the period.

(b) A statement of income and expense for the period.

(c) A reconciliation or surplus or net earnings with the balance sheets.

(d) A schedule of assets used and useful in the business.

(e) An analysis of charges, sizes of loans and types of security on loans and an analysis of delinquent accounts.

(f) An analysis of suits, repossessions and sales of chattels.

(g) The type of business organization and if the licensee is a corporation, the principal officers and the resident agent, the partners, if the licensee is a partnership or, the owner, if a sole proprietorship.

(2) If the licensee conducts other business or is affiliated with other licensees under this Act, or, if any other situation exists under which allocations are necessary, the licensee shall make such allocation according to appropriate and reasonable methods.

(3) If the licensee is affiliated with other licensees under this Act, a composite report may be filed on behalf of all affiliated licensees within the State of Alabama, but such composite report shall not be required by the supervisor.

(4) Such report shall be made under oath and shall be in the form prescribed by the supervisor who shall make and publish annually an analysis and recapitulation of such reports.

Section 11. (a) Rules, Regulations and Orders. The supervisor shall have authority to make reasonable rules, regulations and orders for the administration and enforcement of this Act, in addition hereto and not inconsistent herewith. Every regulation shall be promulgated by an order, and any ruling, demand, requirement, or similar administrative act may be promulgated by an order. Every order shall be in writing, shall state its effective date and the date of its promulgation, and shall be entered in an indexed permanent book which shall be a public record. A copy of every order promulgating a regulation and of every other order containing a requirement of general application shall be mailed to each licensee at least ten days before the effective date thereof. The failure of a licensee to receive a copy of the regulations shall not exempt him from the duty of compliance with the valid regulations lawfully issued.

(b) Certified Copies of Official Documents. On application of any person and payment of the costs thereof, the supervisor shall furnish, under his seal and signed by him or his deputy, a certified copy of any license, regulation, or order. In any court or proceeding

such copy shall be prima facie evidence of the fact of the issuance of such license, regulation or order.

Section 12. (a) Advertising. No licensee or other person subject to this Act shall advertise, display, distribute, or broadcast or cause or permit to be advertised, displayed, distributed, or broadcast, in any manner whatsoever, any false, misleading, or deceptive statement or representation with regard to the rates, terms, or conditions for loans in the amount or of the value of five hundred dollars ($500) or less. The supervisor may require that charges or rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers. The supervisor may permit or require licensees to refer in their advertising to the fact that their business is under state supervision, subject to conditions imposed by him to prevent an erroneous impression as to the scope or degree of protections provided by this Act.

(b) Schedule of Charges. Each licensee shall prominently display in each licensed place of business a full and accurate schedule of the rates of charges upon all classes of loans currently to be made by him.

Section 13. (a) Other Business in Same Office. No licensee shall conduct the business of making loans under this Act within any office, suit, room, or place of business in which any other business is solicited or engaged in or in association or conjunction with any other business until three days' written notice of an intention so to do has been given the supervisor. Upon receipt of written notification, the supervisor may investigate the facts and, if he finds that the character of the licensee and the nature of the other business warrant belief that such conduct of business would conceal any violation or evasion of this Act, or of regulations lawfully made hereunder, he shall enter an order directing the licensee to discontinue said other business. The order shall be entered in the manner specified in and subject to the provisions of Section 5(c) of this Act.

(b) Business Confined to Licensed Office. No licensee shall conduct the business of making loans provided for by this Act under any name, or at any place of business within this state, other than that stated in the license. Nothing herein shall prevent the making of loans by mail nor prohibit accomodations to individual borrowers when necessitated by sickness or other emergency situations.

(c) Liens on Real Estate. No licensee shall take a lien upon real estate as security for any loan made under this Act, except such lien as is created by law through the rendition or recording of a judgment.

Section 14. (a) Maximum Rates of Interest and Charges. Every licensee hereunder may contract for and receive interest on any loan of money not exceeding five hundred dollars ($500) in amount at a rate not exceeding three percent a month on that part of the unpaid principal balance not in excess of one hundred dollars ($100), two percent a month on that part of the unpaid principal balance in excess of one hundred dollars ($100) but not exceeding three hundred dollars ($300), and one percent a month on that part of the unpaid principal balance in excess of three hundred dollars ($300). In addition to the interest herein provided for, a service charge of not more than two dollars ($2) may be collected for each original loan not in excess of twenty-four dollars and ninety-nine cents ($24.99), or a service charge of not more than three dollars ($3) may be collected for each

original loan of twenty-five dollars ($25) or more. No service charge shall be made or collected, however, on any second or subsequent loan as long as any part of a prior loan remains unpaid; and a licensee shall not collect a service charge on a second or any subsequent loan to the same customer when the second or subsequent loan is made within three months from the date of termination of a prior transaction between the same borrower and licensee. No licensee shall induce or permit any person, or any husband and wife jointly or severally, to become obligated directly or contingently, or both, under more than one contract of loan at the same time, for the purpose of obtaining a higher rate of charge than would otherwise be permitted by this section. And it shall be unlawful for any licensee to evade, or attempt to evade this section by inducing a customer to borrow from another loan company in which he has a pecuniary interest or with whom he has an arrangement for exchange of customers. On all original loans of $50.00 or less, interest at the rate of 4% per month on the unpaid balance may be contracted for and received in lieu of that otherwise authorized.

(b) Method of Computing Charges. Charges on loans made under this Act may be precomputed and paid, deducted or received in advance, provided the total so paid, deducted or received in advance does not exceed the effective rates prescribed in subsection (a) above; and provided further, that the licensee shall refund to the borrowers such portion of the previously paid or deducted interest which has not accrued, it being the intent of this subsection that such amount of interest shall be refunded to the borrower so as to make the total amount of interest collected during the time the loan is outstanding not exceed the total effective interest allowed under subsection (a) of this section.

(c) Fees. The licensee may collect from the borrower the actual fees paid a public official, or agency of the state, for filing, recording or releasing any instrument securing the loan.

(d) No Further Charges. In addition to the charges herein provided for, no further or other amount whatsoever, including insurance premiums of any kind, shall be directly or indirectly charged, contracted for, or received. If any amount in excess of the charges permitted by this Act is charged, contracted for, or received, except as the result of an accidental and bona fide error of computation, the contract of loan shall be void, and the licensee shall have no right to collect, receive, or retain any principal, charges, or recompense whatsoever; and the licensee and the several members, officers, directors, agents, and employees thereof who shall have participated in such violation, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500) and not less than one hundred dollars ($100) or by imprisonment of not more than six months, or by both such fine and imprisonment, in the discretion of the court. Any borrower may recover the full amount of principal and interest paid by him on any contract made in violation of this section, together with a reasonable attorney fee, by action at law or in equity brought within twelve months from the date of the last payment of principal or interest on such contract.

Section 15. (a) Requirements for Making and Payment of Loans. Every licensee shall:

1. At the time any loan is made, deliver to the borrower, or if there are two or more borrowers, to one of them, a statement in the English language disclosing in clear and distinct terms the principal

amount of the loan, the rate of interest and other charges, the date of the loan, a schedule of payments or a description thereof, the type of the security, if any, for the loan, the name and address of the licensed office and of each person primarily obligated on the note;

2. For each payment made on account of any such loan, give to the person making it at the time the payment is made a plain and complete receipt specifying the amount applied to charges and the amount, if any, applied to principal, and stating the unpaid principal balance, if any, of such loan; provided that an unitemized receipt may be given temporarily and replaced within a reasonable time with a receipt as prescribed above. No receipt shall be required in the case of payments made by the borrower's check or money order, and the use of a coupon book system shall be deemed in compliance with this section.

3. Permit the payment to be made in advance in any amount on any contract of loan at any time during a licensee's regular business hours.

4. Upon repayment of the loan in full, mark plainly every obligation and security signed by any obligor with the word "Paid" or "Cancelled," and release any mortgage, restore any pledge, and cancel and return any note and any assignment given to the licensee.

(b) Confessions of Judgement; Incomplete Instruments. No licensee shall (1) take any confession of judgment or any power of attorney running to himself or to any third person to confess judgment or to appear for the borrower in a judicial proceeding; nor (2) take any note, promise to pay, or instrument of security that does not disclose the amount of the Loan, a schedule of payments or a description thereof, and the agreed rate of charge, nor any instrument in which blanks are left to be filled in after execution.

(c) Installment payments; Contract Period. No licensee shall enter into any contract of loan under this Act under which the borrower agrees to make any payment of principal more than thirty-six calendar months from the date of making such contract. Every loan contract shall provide for repayment of principal and charges in installments which shall be payable at approximately equal periodic intervals of time and which shall be so arranged that no installment is substantially greater in amount than any preceding installment.

(d) Penalty. Any contract of loan in the making or collection of which any provision of this section shall have been violated either knowingly or without the exercise of due care to prevent the same shall be void and the licensee shall have no right to collect, receive, or retain any principal, charges or recompense whatsoever.

Section 16. Loans of More Than Five Hundred Dollars ($500). If a licensee makes a loan in excess of five hundred dollars ($500), he may charge, contract for, and receive interest only at the rates prescribed in Sections 60 or 61 of Title 9, Code of Alabama 1940, as amended. The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or as endorser, guarantor, or surety for any borrower, or otherwise or any husband and wife jointly or severably, to owe directly or contingently, or both, to the licensee at any time a sum of more than five hudnred dollars ($500) for principal. The supervisor may suspend or revoke the license of any licensee who violates this section, in the manner prescribed by Section 8 of this Act.

Section 17. Loans Made Elsewhere. No loan made outside this state in the amount or of the value of five hundred dollars ($500) or less for which a greater rate of interest, consideration, or charges than is permitted by section 14 of this Act has been charged, contracted for, or received shall be enforced in this State and every person in anywise participating therein in this State shall be subject to the provisions of this Act.

Section 18. Review. In addition to any other remedy he may have, any licensee and any person considering himself aggrieved by any act or order of the supervisor hereunder may, within thirty days from the entry of the order complained of, or within sixty days of the act complained of if there is no order, may petition the circuit court of Montgomery County to review such act or order. Provided such petition shall be docketed, heard and tried in the same manner as any other extraordinary writs issued by the Court and a copy of the petition and order setting the same for hearing shall be served on the supervisor, giving him such notice of the time and place of the hearing as may be directed by the Court.

Section 19. Suits on Debts. In any suit filed on any debt or evidence of any indebtedness governed hereby in any court, the judge thereof shall not render any judgment by default, nil dicit or otherwise until he has heard the testimony of the licensee or of a representative of such licensee, and the judge must on his own motion interrogate such licensee or such other witness to determine whether there has been any violation of the provisions of this Act and whether any charges have been contracted for, made or received in excess of the amount allowed under this Act. If it be made to appear that the provisions of this Act have been violated or that charges in excess of those allowed have been contracted for, made or received, then the suit shall be dismissed at the cost of the plaintiff. In any such suit the plaintiff must allege that he is a licensee under this Act, and if such plaintiff is subject to this Act and fails to allege in his complaint that he is a licensee hereunder, or if it is shown to the court that he is subject to this Act and is not a licensee then the court ex mero motu shall dismiss the suit at the cost of the plaintiff. No garnishment shall issue in such suit or in connection therewith until after judgment has been renedered.

Section 20. Pre-Existing Contracts . This Act or any part thereof may be modified, amended, or repealed so as to effect a cancellation or alteration of any license or right of a licensee hereunder, provided that such cancellation or alteration shall not impair or affect the obligation of any pre-existing lawful contract between any licensee and any borrower.

Section 21. Status of Pre-Existing Licensees. Any person having a license under Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200) as amended, in force when this Act becomes effective, shall be deemed to have a license under this Act for a period expiring six months after the effective date hereof, if not sooner revoked. Any such license so continued in effect under the provisions of this Act shall be subject to revocation during such six months' period as provided in Section 8 of this Act; except that such license may not be revoked nor shall an application for a new license be denied upon the ground that the convenience and advantage of such community will not be promoted by the operation therein of such business.

Section 22. Records. (a) The supervisor shall cause to be kept on file in the bureau of loans, open to public inspection during business

hours, an alphabetical listing of all licensees doing business in Alabama; and such list shall reveal the true ownership of the licensee companies. If the company is a corporation, the list shall indicate the name of the corporation, the address of the home office, and the names and addresses of its officers and directors.

(b) Except as provided in subsection (a) of this section, all applications, reports, and other papers and documents submitted by licensees to the supervisor or to the bureau shall be open to public inspection only upon approval of the supervisor; but the supervisor shall not deny any person access to such records when the disclosure thereof to such person is in the public inetrest.

Section 23. (a) Repealer. The provisions of Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200), as amended, in conflict herewith are hereby repealed. And all other laws or parts of laws which conflict with this Act are also repealed. But such repeal shall not be considered an abolition of the bureau of loans, whose existence is hereby continued as a state agency, for the purpose of administering and enforcing this Act.

(b) Status of Pre-Existing Obligations. Nothing herein contained shall be so construed as to impair or affect the obligation of any contract of loan between any licensee under Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200), as amended, and any borrower which was entered into prior to the effective date of this Act.

Section 24. If a part of this Act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of the Act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 25. Citation of Act. This Act shall be known and may be cited as the "Alabama Small Loan Act."

Section 26. Effective Date. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO ADJOURN LOST

At 4:15 P.M., Mr. Cooper moved that the Senate adjourn until Wednesday, October 21, 1959, at 11 o'clock, which motion was lost.

Yeas 12; Nays 19.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Berryman	Godfrey	Jones	Samford
Cooper	Haltom	Robison	Word
Dumas			—12

Nays:

Messrs.:	Farmer	Green	Shelton
Barnett	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Crawford	Golson	Porter	Wilson
deGraffenried	Graham	Roberts	Wyatt
			—19

FURTHER CONSIDERATION OF H. B. 102

The Senate proceeded to further consideration of the Bill, H.B. 102. The question was on the substitute offered by Mr. deGraffenried.

On motion of Mr. Webb, the substitute offered by Mr. deGraffenried, for the substitute offered by Mr. Webb, was laid on the table.

Yeas 18; Nays 11.

Yeas:

Messrs.:	Gaither	Kendall	Turner	
Barnett	Givhan	Leonard	Webb	
Caffey	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Wyatt	
Farmer	Green	Shelton		—18

Nays:

Messrs.:	deGraffenried	Haltom	Robison	
Berryman	Dumas	Hines	Samford	
Cooper	Godfrey	Jones	Word	
				—11

MOTION TO RECONSIDER

Mr. Webb moved that the Senate reconsider the vote by which it tabled the deGraffenried substitute for the Webb substitute for the Bill, H.B. 102, and pending Committee amendment, and then moved that the motion to reconsider be laid on the table.

MOTION

Mr. Cooper moved that the Senate now receive House Messages, which motion was lost.

Yeas 10; Nays 20.

Yeas:

Messrs.:	Dumas	Hines	Rutledge	
Cooper	Godfrey	Jones	Word	
deGraffenried	Haltom	Robison		—10

Nays:

Messrs.:	Gaither	Kendall	Shelton	
Andrews	Givhan	Leonard	Turner	
Barnett	Golson	Porter	Webb	
Caffey	Graham	Roberts	Wilson	
Crawford	Green	Samford	Wyatt	
Farmer				—20

MOTION TO ADJOURN LOST

At 7:01 P.M., Mr. Gaither moved that the Senate do now adjourn until Wednesday, October 21, 1959, at 1 o'clock P.M., which motion was lost.

Yeas 10; Nays 16.

Yeas:

Messrs.:	Cooper	Godfrey	Jones	
Andrews	deGraffenried	Haltom	Robison	
Berryman	Dumas	Hines		—10

Nays:

Messrs.:	Gaither	Green	Turner
Barnett	Givhan	Leonard	Webb
Caffey	Golson	Porter	Wilson
Crawford	Graham	Shelton	Wyatt
Farmer			—16

FURTHER CONSIDERATION OF H. B. 102

The Senate proceeded to further consideration of the Bill, H.B. 102. The question was on the motion of Mr. Webb that the Senate reconsider the vote by which it tabled the substitute offered by Mr. deGraffenried, and further that the motion to reconsider be laid on the table.

RESOLUTION

Mr. Givhan offered the following Senate Resolution, to-wit:

S.R. 33. Be It Resolved that the Senate do now adjourn until 3:00 P.M. on Wednesday, October 21, 1959.

Mr. Cooper offered the following substitute for the Resolution offered by Mr. Givhan, to-wit:

Substitute for S.R. 33.

I move that the Senate do now adjourn to Wednesday, October 21, 1959 at 10:00 A.M.

Which was lost.

Yeas 9; Nays 17.

Yeas:

Messrs.:	deGraffenried	Haltom	Jones
Berryman	Dumas	Hines	Robison
Cooper	Godfrey		—9

Nays:

Messrs.:	Gaither	Leonard	Turner
Barnett	Givhan	Porter	Webb
Caffey	Golson	Roberts	Wilson
Crawford	Graham	Shelton	Wyatt
Farmer	Green		—17

PAIRED VOTE ANNOUNCED

Mr. Kendall announced that he was paired with Mr. Samford on this vote; that Mr. Samford, if present, would vote "No", and he, Mr. Kendall, would vote "Aye".

FURTHER CONSIDERATION OF S.R. 33

The question recurred on the Resolution, S.R. 33, offered by Mr. Givhan, which was adopted.

Yeas 17; Nays 9.

Yeas:

Messrs.:	Gaither	Leonard	Turner	
Barnett	Givhan	Porter	Webb	
Caffey	Golson	Roberts	Wilson	
Crawford	Graham	Shelton	Wyatt	
Farmer	Green			—17

Nays:

Messrs.:	deGraffenried	Haltom	Jones	
Berryman	Dumas	Hines	Robison	
Cooper	Godfrey			—9

PAIRED VOTE ANNOUNCED

Mr. Kendall announced that he was paired with Mr. Samford on this vote; that Mr. Samford, if present, would vote "Aye", and he, Mr. Kendall, would vote "No".

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twenty-eighth Legislative Day was approved by the Senate.

ADJOURNMENT

At 10:25 P.M., on motion of Mr. Givhan, in accordance with Resolution heretofore adopted, and pending further consideration of H.B. 102, the Senate adjourned until Wednesday, October 21, 1959, at 3 o'clock P.M.

TWENTY-NINTH LEGISLATIVE DAY

WEDNESDAY, OCTOBER 21, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend H. Clyde Bass, Associate Pastor, Burge Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Hines	Samford	
Archer	Farmer	Jones	Shelton	
Barnett	Gaither	Kendall	Turner	
Berryman	Givhan	Leonard	Webb	
Caffey	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Graham	Roberts	Wyatt	
deGraffenried	Green	Robison		—34

JOURNAL

On motion of Mr. Robison, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call o fdistricts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. deGraffenried:

S. 433. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Committee on Local Legislation

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the present Regular Session of the Legislature of Alabama a bill substantially as follows will be introduced, and application for its passage will be made:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter, and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama, be, and the same are hereby extended, altered, and rearranged so at to include within the corporate limits of said city all of the following additional adjacent territory, to-wit:

PARCEL "A"

As a point of beginning, begin at the northeast corner of Section 17, Township 21 South, Range 9 West: thence southwardy along the east line of said Section 17 to a point, which point is 240 feet north of the southeast corner of the Northeast Quarter of the Northeast quarter of

Section 17; thence westwardly and parallel to the south boundary of the said Northeast Quarter of the Northeast Quarter for a distance of 210 feet; thence southwardy and parallel to the east boundary of the said Northeast Quarter of the Northeast Quarter for a distance of 210 feet; thence eastwardly and parallel to the south boundary of said Northeast Quarter of the Northeast Quarter for a distance of 210 feet to a point on the east boundary of said Northeast Quarter of the Northeast Quarter; thence southwardly along the east boundary of said Northeast Quarter of the Northeast Quarter for a distance of 30 feet to the northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 17; thence westwardly along the north boundary of the said Southeast Quarter of the Northeast Quarter for a distance of 210 feet; thence southwardly and parallel to the east boundary of the said Southeast Quarter of the Northeast Quarter for a distance of 210 feet; thence eastwardly and parallel to the north boundary of the said Southeast Quarter of the Northeast Quarter for a distance of 210 feet to a point on the east boundary of the said Southeast Quarter of the Northeast Quarter; thence southwardly along the east boundary of the said Southeast Quarter of the Northeast Quarter to the southeast corner of the said Southeast Quarter of the Northeast Quarter of said Section 17; thence westwardly along the south boundary of the said Southeast Quarter of the Northeast Quarter to the southwest corner of said Southeast Quarter of the Northeast Quarter; which point is on the present City Limit line; thence northwardly along the present City Limit line and the west boundary of the said Southeast Quarter of the Northeast Quarter to the northwest corner of said Southeast Quarter of the Northeast Quarter of said Section 17; thence westwardly along the present City Limit line and the south boundary of the Northwest Quarter of the Northeast Quarter of said Section 17 to the southwest corner of said Northwest Quarter of the Northeast Quarter; thence southwardly along the present City Limit line and the west boundary of the East One-Half of said Section 17 to the north boundary of First Street East; thence eastwardly along the north boundary of First Street East and the present City Limit line to a point, which point is on the extension northwardly of the east boundary of 29th Avenue East; thence southwardly along the east boundary of 29th Avenue East and the present City Limit line, to the south boundary of Lavelle Woods Subdivision, a plat of which is recorded in Plat Book 6 at Page 197 in the Office of the Probate Judge of Tuscaloosa County, Alabama thence westwardly along the present City Limit line and the south boundary of said Lavelle Woods Subdivision and the extension westwardly thereof, to a point on the east boundary of the H. O. Pierson property; thence southwardly along the present City Limit line to the southeast corner of the H. O. Pierson property; thence westwardly along the present City Limit line and the south boundary of the said H. O. Pierson property, and the extension wastwardly thereof, to a point on the west boundary of 25th Avenue East; thence northwardly along the present City Limit line and the west boundary of 25th Avenue East, and the prolongation thereof, to a point on the north right-of-way of the Louisville & Nashville Railroad; thence southwestwardly along the present City Limit line and the north right-of way line of the Louisville & Nashville Railroad to the intersection of said right-of-way line and the east boundary of the Northeast Quarter of the Southeast Quarter of Section 18, Township 21 South, Range 9 West; thence northwardly along the present City Limit line and the east boundary of the said Northeast Quarter of the Southeast Quarter to the northeast corner of the Southeast Quarter of said Section 18; thence westwardly along the present City Limit line and the north boundary of the Northeast Quarter of the Southeast Quarter of said Section 18 to the northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 18; thence southwardly along the

present City Limit line and the west boundary of the Northeast Quarter of the Southeast Quarter of said Section 18 to the intersection of said boundary and the north right-of-way of the Louisville & Nashville Railroad; thence westwardly along the present City Limit line and the north right-of-way line of the Louisville and Nashville Railroad to the intersection of said Railroad right-of-way and the east boundary of the West One-Half of the West One-Half of said Section 18; thence northwardly along the present City Limit line and the east boundary of said West One-Half of the West One-Half to the northeast corner of the West One-Half of the West One-Half of said Section Section 18; thence eastwardly along the north boundary of said Section 18 to the northeast corner of said Section 18; thence northwardly along the west boundary of Section 8, Township 21 South, Rage 9 West, to the northwest corner of the South One-Half of said Section 8; thence eastwardly along the north boundary of the South One-Half of said Section 8 to the northeast corner of the South One-Half of said Section 8; thence southwardly along the east boundary of said Section 8 to the southeast corner of said Section 8, Township 21 South, Range 9 West, which is the point of beginning.

All being in Tuscaloosa County, Alabama.

PARCEL "B"

To find the point of beginning start at the northwest corner of Section 30, Township 21 South, Range 9 West; thence eastwardly along the north boundary of said Section 30 for a distance of 2067 feet to a point; thence southwardly with a bearing of South zero degrees and thirty minutes East (SO degrees 30' E) for a distance of 25 feet, which is the northwest corner of the Shelton Trade School property; thence continue southwardly with a bearing of South zero degrees and thirty minutes East (SO degrees 30' E) for a distance of 2377.4 to a point, which point is on the present City Limit line and the point of beginning; thence northeastwardly along the present City Limit line with a bearing of North sixty-two degrees and six minutes East (N 62 degrees 6' E) for a distance of 691.8 feet to a point; thence northwardly along the present City Limit line and the west boundary of the Southwest Quarter of the Northeast Quarter of said Section 30 with a bearing of North zero degrees and fifteen minutes West (NO degrees 15' W) for a distance of 765.5 feet to the northwest corner of the said Southwest Quarter of the Northeast Quarter; thence eastwardly along the present City Limit line and the north boundary of the said Southwest Quarter of the Northeast Quarter for a distance of 675.4 feet to a point where said north boundary intersects the east right-of-way of 17th Avenue East; thence southwardly along the present City Limit line and the east right-of-way line of 17th Avenue East for a distance of 550 feet to the southeast corner of the intersection of 17th Avenue East and 20th Street East; thence eastwardly along the present City Limit line and the south right-of-way line of said 20th Street East and parallel to the J. L. Ford Resurvey, a plat of which is recorded in Plat Book 5 at Page 131 in the Office of the Probate Judge of Tuscaloosa County, Alabama, for a distance of 678 feet to a point on the West boundary of the Southeast Quarter of the Northeast Quarter of said Section 30; thence northwardly along the present City Limit line and the west boundary of the said Southeast Quarter of the Northeast Quarter for a distance of 231 feet to the southwest corner of Lot 11 of the George W. Dockery, Jr, Subdivision, a plat of which is recorded in Plat Book 6 at Page 135 in the Office of the Probate Judge of Tuscaloosa County, Alabama; thence eastwardly along the present City Limit line and south boundary line of the said George W. Dockery, Jr. Subdivision and the Tanglewood Drive Subdivision, a plat of which is recorded in Plat Book 6 at Page 146 in the Office of the Probate Judge

of Tuscaloosa County, Alabama, and the extension eastwardly thereof for a distance of 1320.5 feet to a point on the west boundary of the Southwest Quarter of the Northwest Quarter of Section 29, Township 21 South, Range 9 West, which point is 330 feet south of the northwest corner of the said Southwest Quarter of the Northwest Quarter; thence southwardly along the present City Limit line and the west boundary of the said Southwest Quarter of the Northwest Quarter to the southwest corner of the said Southwest Quarter of the Northwest Quarter; thence eastwardly along the present City Limit line and the south boundary of the said Southwest Quarter of the Northwest Quarter to the southeast corner of the said Southwest Quarter of the Northwest Quarter; thence northwardly along the present City Limit line and the east boundary of the said Southwest Quarter of the Northwest Quarter to the northeast corner of the said Southwest Quarter of the Northwest Quarter; thence eastwardly along the present City Limit line and the south boundary of the Northeast Quarter of the Northwest Quarter of said Section 29 to the southeast corner of the said Northeast Quarter of the Northwest Quarter of said Section 29; thence northwardly along the present City Limit line and the east boundary of said Northeast Quarter of the Northwest Quarter of said Section 29 to the northeast corner of the said Northeast Quarter of the Northwest Quarter of said Section 29; thence eastwardly along the present City Limit line and the north boundary of said Section 29 to the northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 29; thence northwardly along the present City Limit line and the west boundary of the Southeast Quarter of the Southeast Quarter of Section 20, Township 21 South, Range 9 West, to the north boundary of 15th Street East; thence eastwardly along the present City Limit line and the north right-of-way of 15th Street East, to the east boundary of the said Southeast Quarter of the Southeast Quarter of said Section 20; thence southwardly along the present City Limit line and the east boundary of said Section 20 to the southeast corner of Section 20; thence southwardly along the present City Limit line and the east boundary of Section 29, Township 21 South, Range 9 West, to the southeast corner of the Southeast Quarter of the Northeast Quarter of said Section 29; thence westwardly along the present City Limit line and the north boundary of the Northeast Quarter of the Southeast Quarter of said Section 29 to the Northeast corner of the West One-Half of the said Northeast Quarter of the Southeast Quarter of said Section 29; thence southwardly along the present City Limit line and the east boundary of the West One-Half of the said Northeast Quarter of the Southeast Quarter to the southeast corner of the West One-Half of the said Northeast Quarter of the Southeast Quarter of said Section 29; thence westwardly along the present City Limit line and the south boundary of the said Northeast Quarter of the Southeast Quarter of said Section 29 to the southwest corner of the said Northeast Quarter of the Southeast Quarter of said Section 29; thence northwardly along the present City Limit line and the east boundary of the Northwest Quarter of the Southeast Quarter of said Section 29 to the northeast corner of the said Northwest Quarter of the Southeast Quarter of said Section 29; thence continue northwardly along the present City Limit line and the east boundary of the Southwest Quarter of the northeast Quarter of said Section 29 to a point where the said east boundary line intersects the north right-of-way line of the Pelham Loop Road; thence westwardly along the present City Limit line and the north right-of-way line of the Pelham Loop Road to a point where the said north right-of-way line of the Pelham Loop Road intersects the north boundary of the said Northwest Quarter of the Southeast Quarter of said Section 29; thence continue westwardly along the present City Limit line and the north boundary of the said Northwest Quarter of the Southeast Quarter of said Section 29 to the northwest corner of

the Southeast Quarter of said Section 29; thence continue westwardly along the present City Limit line and the north boundary of the Northeast Quarter of the Southwest Quarter of said Section 29 to a point where the east right-of-way line of 29th Avenue East (Fairmont Drive) intersects the said north boundary of the said Northeast Quarter of the Southwest Quarter of Section 29; thence southwardly along the present City Limit line and the east right-of-way line of 29th Avenue East (Fairmont Drive) to the north right-of-way line of the Pelham Loop Road; thence westwardly along the present City Limit line and the north right-of-way line of the Pelham Loop Road to a point where said north right-of-way line intersects the east boundary of the Northwest Quarter of the Southwest Quarter of said Section 29; thence southwardly along the present City Limit line and the east boundary of the West One-Half of the Southwest Quarter of said Section 29 to the southeast corner of the said West One-Half of the Southwest Quarter of said Section 29; thence continue southwardly along the present City Limit line and the east boundary of the Northwest Quarter of the Northwest Quarter of Section 32, Township 21 South, Range 9 West, to the southeast corner of the said Northwest Quarter of the Northwest Quarter of said Section 32, which point is on the present City Limit line; thence southwardly along the east boundary of the Southwest Quarter of the Northwest Quarter of said Section 32 to the southeast corner of said Southwest Quarter of the Northwest Quarter of said Section 32; thence westwardly along the south boundary of the said Southwest Quarter of the northwest Quarter of said Section 32 to the southwest corner of the said Southwest Quarter of the Northwest Quarter of said Section 32; thence continue westwardly along the south boundary of the North One-Half of Section 31, Township 21 South Range 9 West, to a point where the said south boundary intersects the present City Limit line, which point is 210 feet east of the east right-of-way of the Albright Road, or 223 feet east of the southwest corner of the Southwest Quarter of the Northwest Quarter of said Section 31; thence northwardly along the present City Limit line and parallel to the east right-of-way line of the Albright Road, to a point where said City Limit line intersects the north boundary line of Lot 11 of the Martha Caroline Albright Subdivision, a plat of which is recorded in Plat Book 6 at Page 9 in the Office of the Probate Judge of Tuscaloosa County, Alabama; thence eastwardly along the present City Limit line and the said north boundary line of Lot 11 for a distance of 710 feet to the northeast corner of said Lot 11; thence northwardly along the present City Limit line and along the prolongation of the east boundary line of said Lot 11 for a distance of 412 feet to a point on the south boundary of Princeton Heights, a plat of which is recorded in Plat Book 4 at Page 69 in the Office of the Probate Judge of Tuscaloosa County, Alabama; thence westwardly along the present City Limit line and the south boundary line of said Princeton Heights to a point, which point is on the west half of Lot 10 of said Princeton Heights; thence continue northwardly along the present City Limit line and the east line of the west half of said Lot 10 to the northeast corner of the west half of said lot 10 and the south right-of-way line of 31st Street East; thence eastwardly along the present City Limit line and the said south right-of-way line of 31st Street East to a point where the prolongation of the west boundary of Lot 2 of said Princeton Heights intersects said south right-of-way of 31st Street East; thence northwardly along the present City Limit line and the east boundary of said Lot 2 to a point where the prolongation of said east boundary intersects the south boundary of Section 30, Township 21 South, Range 9 West; thence eastwardly along the present City Limit line and the south boundary of said Section 30 to the southwest corner of the Southeast Quarter of said Section 30, which is the southeast corner of Cedar Knoll Subdivision, a plat of which is recorded in Plat Book 6 at

Page 62 in the Office of the Probate Judge of Tuscaloosa County, Alabama; thence northwardly along the present City Limit line and the west boundary of the East One-Half of said Section 30 to a point where said west boundary intersects the south right-of-way of the Hargrove Road; thence westwardly along the present City Limit line and the said south right-of-way line of the Hargrove Road to a point where said right-of-way intersects the east boundary of the Northwest Quarter of the Southwest Quarter of said Section 30; thence northwardly along the present City Limit line and the east boundary of the said Northwest Quarter of the Southwest Quarter of said Section 30 to the northeast corner of the said Northwest Quarter of the Southwest Quarter of said Section 30; thence eastwardly along the present City Limit line and the south boundary of the Southeast Quarter of the Northwest Quarter of said Section 30 to a point, which point is 2067 feet east of the northwest corner of the Southwest Quarter of said Section 30; thence northwardly on a bearing of North zero degrees and thirty minutes West (NO degrees 30' W) along the present City Limit line to the point of beginning.

All being in Tuscaloosa County, Alabama.

PARCEL "C"

For a point of beginning, begin at the northwest corner of Section 31, Township 21 South, Range 9 West; thence eastwardly along the present City Limit line and the north boundary of said Section 31 for a distance of 340.2 feet, which point is the prolongation of the east boundary of Lot 1 of Princeton Heights, a plat of which is recorded in Plat Book 4 at Page 69 in the Office of the Probate Judge of Tuscaloosa County, Alabama; thence southwardly along the present City Limit line and the east boundary of said Lot 1 for a distance of 688.5 feet to the northeast corner of Lot 9 of said Princeton Heights; thence westwardly along the present City Limit line and the north boundary of said Lot 9 to the northwest corner of said Lot 9; thence southwardly along the present City Limit line and the west boundary of said Lot 9, and the east right-of-way line of the Albright Road, to the southwest corner of said Lot 9, which is also on the south boundary of the Northwest Quarter of the Northwest Quarter of said Section 31; thence westwardly along the said south boundary to the southwest corner of the said Northwest Quarter of the Northwest Quarter of said Section 31; thence westwardly along the south boundary of the Northeast Quarter of the Northeast Quarter of Section 36, Township 21 South, Range 10 West, to the southwest corner of the Northeast Quarter of the Northeast Quarter of said Section 36, which point is on the present City Limit line; thence northwardly along the present City Limit line and the west boundary of the Northeast Quarter of the Northeast Quarter of said Section 36 to the northwest corner of the said Northeast Quarter of the Northeast Quarter of said Section 36; thence northwardly along the present City Limit line and the west boundary of the Southeast Quarter of the Southeast Quarter of Section 25, Township 21 South, Range 10 West, to the northwest corner of the said Southeast Quarter of the Southeast Quarter of said Section 25; thence westwardly along the south boundary of the Northwest Quarter of the Southeast Quarter and the present City Limit line of said Section 25, to the intersection with the prolongation southwardly of the east boundary of Lots 1 and 2 and Lots 46 thru 49 of the East Arlington Subdivision, a plat of which is recorded in Plat Book 6 at Page 67 in the Office of the Probate Judge of Tuscaloosa County, Alabama; thence northwardly to the northeast corner of said Lot 46 of said East Arlington; thence continue northwardly along the present City Limit line and the prolongation of the east boundary of said Lots 46 thru 49 of said East Arlington to the north right-of-way of the Hargrove Road; thence eastwardly along

the north right-of-way of the Hargrove Road and the present City Limit line, to a point where said right-of-way intersects the east boundary of said Section 25; thence in a southerly direction along the east boundary of said Section 25 to the point of beginning.

All being in Tuscaloosa County, Alabama.

PARCEL "D"

The point of beginning is the southwest corner of Section 25, Township 21 South, Range 10 West; thence eastwardly along the south line of said Section 25 to the southwest corner of Lot 19 of the Fitts Heights Subdivision No. 2, a plat of which is recorded in Plat Book 6 at Page 56 in the Office of the Probate Judge of Tuscaloosa County, Alabama, this point is on the present City Limit line; thence turn left with a deflection angle of ninety-six degrees and thirty-six minutes (96 degrees 36') and run northwardly along the present City Limit line and the west boundary of Lots 19 and 20 of said Fitts Heights Subdivision No. 2 to the northwest corner of said Lot 20; thence turn right with a deflection angle of ninety-six degrees and twenty-three minutes (96 degrees 23') and run in an eastwardly direction along the present City Limit line and the north boundary of Lots 20 and 23 of said Fitts Heights Subdivision No. 2 for a distance of 2764. feet to the northeast corner of said Lot 23; thence northwardly along the present City Limit line and the west boundary of Narrow Lane, to the intersection with the south boundary of Lot 24 of said Fitts Heights Subdivision No. 2; thence turn left with a deflection angle of ninety-seven degrees and thirty minutes (97 degrees 30') and run in a westwardly direction along the present City Limit line and the south boundary of said Lot 24 to the southwest corner of said Lot 24; thence turn right with a deflection angle of ninety degrees and zero minutes (90 degrees 0') and run in a northwardly direction along the west boundary of said Lot 24 for a distance of 100 feet to the northwest corner of said Lot 24; thence turn right with a deflection angle of ninety degrees and zero minutes (90 degrees 0') and run in an eastwardly direction along the present City Limit line and the north boundary of Lots 24 thru 26 of said Fitts Heights Subdivision No. 2 for a distance of 220 feet to the northeast corner of said Lot 26, turn left with a deflection angle of ninety degrees and zero minutes (90 degrees 0') and run in a northwardly direction along the present City Limit line and the west boundary of Lots 28 thru 33 of said Fitts Heights Subdivision No. 2 and the extension northwardly of said boundary to the intersection with the north boundary of the Hargrove Road; thence northwestwardly along the north boundary of the Hargrove Road, and the present City Limit line, to a point where the prolongation of the west boundary of Harrison Street and the north boundary of the Hargrove Road intersect; thence southwardly along the west boundary of Harrison Street, and the present City Limit line, to the north boundary of the Southwest Quarter of the Southwest Quarter of Section 25, Township 21 South, Range 10 West; thence westwardly along the present City Limit line and the north boundary of the said southwest Quarter of the Southwest Quarter of said Section 25 to the northwest corner of the said Southwest Quarter of the Southwest Quarter of said Section 25; thence westwardly along the north boundary of the South One-Half of the Southeast Quarter of Section 26, Township 21 South, Range 10 West, to the northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 26; thence southwardly along the present City Limit line and the west boundary of the Southeast Quarter of said Section 26 to the southwest corner of the said Southeast Quarter of said Section 26; thence eastwardly along the south boundary of said Section 26 to the southeast corner of said Section 26, which is the point of beginning.

All being in Tuscaloosa County, Alabama.

PARCEL "E"

For a point of beginning start at the southwest corner of Section 27, Township 21 South, Range 10 West; thence eastwardly along the present City Limit line and the south boundary of the Southwest Quarter of said Section 27 to the southeast corner of the said Southwest Quarter of said Section 27; thence northwardly along the east boundary of the said Southwest Quarter of said Section 27 and the present City Limit line to a point where said east boundary intersects the southeast boundary of the road which lies on the south boundary of the Kennedy Realty Company Resurvey of the F. E. Shide Survey, as shown by the plat of said resurvey, recorded in Plat Book 2 at Page 45 in the Office of the Probate Judge of Tuscaloosa County, Alabama (said road being a street or road designated on said plat as being "County Road," and it being the intent hereof to include said road or street within the City); thence northeastwardly along the present City Limit line and the south boundary of said road, to an intersection with the extension southwardly of the west boundary of Lot 66 of the J. J. Harris Survey, as shown by a plat of which is recorded in Plat Book 1 at Page 19 in the Office of the Probate Judge of Tuscaloosa County, Alabama; thence northwardly along the extension southwardly of said west boundary of said Lot 66, and the present City Limit line, to the south boundary of 24th Street (South 8th Avenue as shown on said plat of said J. J. Harris Survey, said South 8th Avenue being now designated on the map of the City of Tuscaloosa and known as 24th Street); thence eastwardly along the south boundary of 24th Street and the present City Limit line to a point where said south boundary of 24th Street intersects the west boundary of the Gulf, Mobile & Ohio Railroad; thence southwardly along said west boundary of the Gulf, Mobile & Ohio Railroad, to a point where said Railroad boundary intersects the south boundary of the Southwest Quarter of the Southwest Quarter of Section 35, Township 21 South, Range 10 West; thence westwardly along said south boundary to the southwest corner of said Section 35; thence southwardly along the east boundary of Section 3, Township 22 South, Range 10 West, to the southeast corner of the Northeast Quarter of said Section 3; thence westwardly along the south boundary of the Northeast Quarter of said Section 3 to the east boundary of the Alabama Great Southern Railroad; thence northwardly along the said east boundary of the Alabama Great Southern Railroad to a point which point is 638.3 feet north of the south boundary of the Northwest Quarter of the Northeast Quarter of said Section 3, measured along a line parallel to the west boundary of said Northwest Quarter of the Northeast Quarter of said Section 3; thence westwardly and parallel to the north boundary of the said Northwest Quarter of the Northeast Quarter of said Section 3 to a point on the west boundary of said Northwest Quarter of the Northeast Quarter of said Section 3, which point is 638.3 feet north of the southwest corner of said Northwest Quarter of the Northeast Quarter of said Section 3; thence northwardly along the west boundary of the Northeast Quarter of said Section 3 to the northwest corner of the Northeast Quarter of said Section 3; thence westwardly along the north boundary of said Section 3 to a point, which point is 944.6 feet from the northwest corner of said Section 3; thence southwestwardly along a bearing of South sixty-five degrees and thirty minutes West (S65 degrees 30' W) for a distance of 1635.67 feet to a point; thence northwardly along a bearing of North twenty-three degrees and thirty minutes West (N23 degrees 30' W) for a distance of 491 feet to a point; thence northwardly along a bearing of North fourteen degrees and zero minutes East (N 14 degrees 0' E) for a distance of 448 feet to a point; thence northwardly along a bearing of North two degrees and zero minutes East (N 2 degrees 0' E)

for a distance of 100 feet to a point; thence northwardly along a bearing of North twelve degrees and fifteen minutes East (N 12 degrees 15' E) for a distance of 547 feet to a point; thence northwardly along a bearing of North thirty degrees and zero minutes East (N 30 degrees 0' E) for a distance of 125 feet to a point; thence northeastwardly along a bearing of North fifty-four degrees and thirty minutes East (N 54 degrees 30' E) for a distance of 248 feet to a point; thence northeastwardly along a bearing of North thirty-five degrees and thirty minutes East (N 35 degrees 30' E) for a distance of 248 feet to a point, which point is on the west boundary of Section 34, Township 21 South, Range 10 West; thence northwardly along the west boundary of said Section 34 to the northwest corner of said Section 34, which is the point of beginning.

All being in Tuscaloosa County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Tuscaloosa News

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weekks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 15, Sept. 22, Sept. 29, and Oct. 6, all in the year 1959.

BUFORD BOONE

Sworn to and subscribed before me October 6, 1959.

LILLA COLLINS,
Notary Public.

By Mr. Caffey:

S. 434. To require the tax collector of Mobile County to charge and collect the same fees, and to deduct from taxes collected by him the same commissions that are prescribed by the general law as compensation for tax assessors and tax collectors and to pay all such fees and commissions into the county treasury of Mobile County; and to repeal Act No. 241, H. 401 and Act No. 242, H. 473 of 1935 (Local Acts of Alabama of 1935, pages 139 and 141, respectively) and Section 1 of Act No. 191, H. 634 of 1955 (Acts of Alabama of 1955, page 476).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To require the tax collector of Mobile County to charge and collect the same fees, and to deduct from taxes collected by him the same commissions that are prescribed by the general law as compensation for tax assessors and tax collectors and to pay all such fees and commissions into the county treasury of Mobile County; and to repeal Act No. 241, H. 401 and Act No. 242, H. 473 of 1935 (Local Acts of Alabama of 1935, pages 139 and 141, respectively) and Section 1 of Act No. 191, H. 634 of 1955 (Acts of Alabama of 1955, page 476).

Be It Enacted by the Legislature of Alabama:

Section 1. The tax collector of Mobile County shall, in the manner prescribed by the general law, charge and collect all fees and compute and deduct from the taxes collected by him all commissions which tax collectors are authorized and directed by the general law to charge and collect, or compute and withhold, by reason of any official act or for the performance of any service directly or indirectly connected with the offices of tax assessor and tax collector, and he shall pay all such fees and commissions collected by him into the county treasury of Mobile County.

Section 2, Act No. 241, H. 401, approved August 15, 1935 (Local Acts of Alabama of 1935, page 139); Act No. 242, H. 473 approved August 15, 1935 (Local Acts of Alabama of 1935, page 141); and Section 1 of Act No. 191, H. 634, approved July 29, 1955 (Acts of Alabama of 1955, page 476) are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared William F. Egan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper of Sept 27th, Oct 4th, Oct 11th, and Oct 18th, all in the year 1959.

WILLIAM F. EGAN.

Sworn to and subscribed before me October 20th, 1959.

ALVIN A. JOHNSON,
Notary Public.

By Mr. Jones:

S. 435. Relating to Tallapoosa County; abolishing the County Court of Tallapoosa County, and establishing in lieu thereof a court of record to be known as the "Court of Common Pleas of Tallapoosa County;" defining the court's jurisdiction and powers; providing for its officers, and their powers, duties, and compensation; providing for the holding of the terms and sessions of the court; providing for the rules and procedure of the court; and providing for the transfer of all cases pending in the County Court of Tallapoosa County, the juvenile court, and all cases of desertion and non-support to the Court of Common Pleas of Tallapoosa County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County; abolishing the County Court of Tallapoosa County, and establishing in lieu thereof a court of record to be known as the "Court of Common Pleas of Tallapoosa County;" defining the court's jurisdiction and powers; providing for its officers, and their powers, duties, and compensation; providing for the holding of the terms and sessions of the court; providing for the rules and procedure of the court; and providing for the transfer of all cases pending in the County Court of Tallapoosa County, the juvenile court, and all cases of desertion and non-support and all cases involving domestic relations pending in the provate court, to the Court of Common Pleas of Tallapoosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Tallapoosa County, Alabama, a court of record to be known as the "Court of Common Pleas of Tallapoosa County;" which court shall have and exercise civil and criminal jurisdiction as hereinafter provided.

Section 2. The court shall have civil jurisdiction in all civil matters of which justices of the peace of Tallapoosa County have jurisdiction under the general laws of the State of Alabama, and in which the amount involved does not exceed one hundred dollars ($100.00), concurrently with the several justices of the peace in the county; and in addition thereto, the court shall have jurisdiction, concurrently with the circuit court of Tallapoosa County, Alabama, of all matters, suits and actions at law which are in amount more than the jurisdiction of the justices of the peace, and less than the sum of five hundred dollars ($500.00), and when the value of the property sued for in a suit in detinue is less than five hundred dollars ($500.00); provided, however, that the court shall not have and exercise civil jurisdiction of actions of libel, slander, assault and battery or ejectment, or actions in the nature of ejectment; and the court shall have original jurisdiction, con-

currently with the circuit court of Tallapoosa County, Alabama, of all misdemeanors committed in Tallapoosa County, Alabama; and it shall have preliminary jurisdiction of all felonies. This court shall have jurisdiction of all matters, suits, and actions cognizable before a juvenile court; of all cases of desertion and non-support arising under the provisions of Article 3, Chapter 4, Title 34, Code of Alabama (1940); and of all cases involving domestic relations. The territorial jurisdiction of the court shall be co-extensive with the boundaries of Tallapoosa County, Alabama.

Section 3. The judge of the court shall have been a resident in and a qualified elector of Tallapoosa County for at least five years at the time of his appointment or election, and shall reside in the county during his continuance in office. He shall be at least 25 years of age, and shall be learned in the law and admitted to the practice of law in this State for the past three years. He shall not during his term of office act as attorney in any case or matter that has previously been in or is in this court, but may practice in all other matters and all other courts. Immediately upon the passage and approval of this act, or upon its otherwise becoming a law, the Governor shall appoint the judge of the court created by this act. The person so nominated and appointed shall hold office as judge of the court created herein until the first Monday after the second Tuesday in January 1965, and until his successor is elected and qualified, and shall perform the duties and receive the compensation herein provided for the judge of this court.

Section 4. The term of office of the judge of this court, who shall be elected by the qualified electors of Tallapoosa County, Alabama, at the general election for state and county officers in the year 1964, and every six years thereafter, shall be for six years from the first Monday after the second Tuesday in anuary 1965, and until his successor is elected or appointed and qualified. Upon the passage and approval of this act, or upon its otherwise becoming a law, the Governor shall issue commission to the person whom he has appointed judge of the Court of Common Pleas of Tallapoosa County, as herein provided; and after the election of the judge of this court as herein provided the Governor shall likewise issue to him a commission as such judge. Before entering upon the duties of his office, the judge of this court shall take the oath of office in the form required by law to be taken by judges of the circuit court of this State and he shall be removed from office for the same causes and in the same manner as is now or may be hereafter provided for removal of circuit judges. In the event of a vacancy caused by the resignation, removal, or death of the judge, or for other causes, the Governor shall fill the office by appointment, and the person so appointed shall hold office as provided for in Section 158 of the Constitution of this State. In case the judge of the court is unable at any time to discharge the duties of his office by reason of sickness, disqualifications, or other causes, the judge shall make, or cause to be made by the clerk thereof, an order, when the facts warrant it, setting forth the reasons of his inability to sit in the court, and the order shall be spread on the minutes of the court. Thereupon, the clerk of this court shall designate and appoint in writing, which appointment shall be spread on the minutes of this court, some practicing attorney of the county who is learned in the law, as special judge thereof, and the person so designated and appointed shall perform all of the duties and exercise all of the powers and authority of the judge of this court, and shall hold the office until the regular judge thereof shall resume his duties; the special judge shall receive for his compensation five dollars for each day he serves as such judge of this court, payable in the same manner and from the same funds as the compensation of the regular judge is paid. The regular judge of this court

shall have authority to administer oaths and take acknowledgments and affidavits in all cases, and to solemnize marriages the same as circuit judges of this State.

Section 5. The judge of this court shall receive a salary of Four thousand, two hundred dollars ($4,200.00) per annum, payable in equal monthly installments out of the general fund of Tallapoosa County, Alabama, upon the warrant of the probate judge of Tallapoosa County, Alabama, which he is hereby authorized and directed to issue monthly, and the warrants shall be preferred claims against the general fund.

Section 6. The clerk of the circuit court of Tallapoosa County, Alabama, shall be clerk of the Court of Common Pleas of Tallapoosa County, hereby established, and he shall keep a civil and criminal docket of all cases brought before the court, and all of the minutes and records as are now required by law to be kept by clerks of the circuit courts, and he shall have authority to issue all necessary summons and complaints as to all cases filed in the court, and all other civil and criminal process which clerks of the circuit courts are now required or empowered by law to issue. He shall have authority to swear witnesses at the trial of all cases in the court. It shall be the duty of the clerk to tax and collect in each civil case in the Court of Common Please of Tallapoosa County the same costs and fees for services of the solicitor, the clerk, the sheriff and the witnesses as are allowed in county courts, and he shall disburse such fees in the manner required by law for the disbursement of fees in the county courts, except as may be hereinafter provided. The clerk shall tax and collect in each criminal case the same costs and fees for services of the solicitor, the clerk, the sheriff, and the witnesses as are allowed in circuit courts, and he shall disburse such fees in the manner required by law for the disbursement of fees in circuit courts, except as may be hereinafter provided. It shall also be his duty to collect, or receive from the sheriff, all fines and forfeitures in the court, which, together with the solicitor's fees taxed and collected in the court, he shall pay into the general fund of the county. The clerk shall tax in each civil case, a trial fee of two dollars, and shall tax in all criminal cases a trial fee as hereinafter provided to be collected as all other costs are collected, and when collected, paid into and become a part of the general fund of the county. The court costs and fees in all prosecutions in the Court of Common Pleas of Tallapoosa County for violations of the prohibition laws, for carrying a concealed weapon, and for petit larceny or offenses punishable like petit larcency, adultery, and assault with a weapon, shall be the same as those prescribed for county courts by the general laws of the State, except that the trial tax in such cases shall be three dollars. The court costs and fees for misdemeanors other than violation of the prohibition laws, carrying a concealed weapon, petit larceny or offenses punishable like petit larcency, adultery, and assault with a weapon, in bastardy proceedings, in peace proceedings, and in preliminary examinations shall be the same as those prescribed for justices of the peace courts by the general laws of the State; provided, that in all such cases the trial tax shall be one dollar and no solicitors' fee shall be taxed as a part of the cost. Witness fees taxed and collected in civil cases shall be retained by the clerk and paid over to the witnesses entitled to the fees; provided, however, that witnesses shall have the first five days after their attendance upon the court in any case therein pending, to prove their attendance and to be issued a witness certificate, and, failing therein, no cost shall be taxed on account of the attendance of such witnesses; and provided further, that in case civil witness certificates are not presented to the clerk for payment within 90 days after the payment of the costs in the cases in which the certificates were issued, the witness fee shall revert to the general fund of the county and shall

be paid by the clerk into the county treasury for the use of the general fund, and the clerk shall pay over to the county treasurer all such reverted fees in his hands on the first Monday in each month. State witness fees in criminal cases shall be taxed, collected, paid into and disbursed from the general fund of Tallapoosa County, Alabama. Each witness attending court in civil cases shall be entitled to seventy-five cents per day and five cents per mile actually travelled by the most direct route in going to court and returning home, and the fees shall be taxed as a part of the costs, to be collected and disposed of as herein provided. The clerk shall attend upon the sessions of the court at such hours as are designated by the judge thereof and shall perform such other duties as may be prescribed by the judge of the court and by this act, either in person or by deputy. The clerk shall issue certificates of judgments of the court, in the same form as is now provided by law for issuance of certificates of judgments from the circuit courts, for which he shall be allowed the same fees as are now allowed in the circuit courts. The owner of any judgment rendered by the court may file in the office of the judge of probate of any county in this Stae such certificate of judgment issued by the clerk as hereinabove provided, under the same procedure and in the same manner as is now or may hereafter be provided for filing certificates of judgments rendered by the circuit courts of this State; and when so filed such judgments shall be a lien in the county where filed on all property of the defendant which is subject to levy and sale under execution. The filing of such certificate of judgment shall be notice to all persons of the existence of the lien thereby created. The lien shall continue for ten years from the date of the judgment and no insolvency proceedings or declaration of insolvency shall affect or impair the lien, except bankruptcy proceedings instituted within four months after the filing of the certificate, provided by law. Executions may be issued at any time within ten years from the date of the judgment, whether execution has been previously issued or not. The clerk of the court, before entering into the duties of his office, shall give bond in such penal sum as may be prescribed by the court of county commissioners of Tallapoosa County, Alabama payable and conditioned as are official bonds required of clerks of the circuit courts, to be taken and approved by the judge of probate of Tallapoosa County, and recorded in the probate office of Tallapoosa County, Alabama, and upon the bonds there shall be the same liabilities and remedies as upon bonds of the clerks of the circuit court of this State. The premium on the bond or bonds shall be paid out of the general fund of the county. The clerk shall receive the same fees, allowances, commissions and cost as are now allowed by law to clerks of the circuit courts of this State, as his compensation. The clerk shall receive a fee of one dollar for each writ of arrest issued by him, to be taxed and collected as other costs are taxed and collected.

Section 7. The sheriff of Tallapoosa County shall, in person, or by deputy, be required to attend upon the court and to preserve order and execute all writs or process issued therefrom, and to perform such other duties in all respects as he is required by law to perform in the circuit court of Tallapoosa County; and for such services of attending the court the sheriff shall receive the sum of six dollars per day payable out of the general fund on warrant of the probate judge; and for all services rendered by him, other than attendance upon the court hereinabove provided for, he shall receive the same costs and fees as are allowed by law for similar services performed and done in the circuit courts.

Section 8. The deputy solicitor for Tallapoosa County shall prosecute for the State all criminal cases in the court created by this act.

The salary of the deputy solicitor for Tallapoosa County shall be the salary now provided, or which may hereafter be provided, by the general laws of this State for deputy solicitors in counties where circuit or county court is held at more than one place in the county, to be paid out of the general fund of the county, in equal monthly installments on the warrant of the probate judge. Such warrants shall be preferred claims against the general fund.

Section 9. The court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. However, on one day of each week there shall be held a session of the court in the town of Alexander City, on two days of each month there shall be held a session of the court in the town of Dadeville, and on two days of each month there shall be held a session of the court in the town of Carrville, in order to facilitate the handling, trial and disposition of cases arising in those places and the surrounding areas. And in the aforesaid Courts held in Alexander City shall be tried all actions within the jurisdiction of this Court which arise on the west side of the Tallapoosa River in Tallapoosa County, Alabama; and in the aforesaid Courts held in Carrville shall be tried all actions within the jurisdiction of this Court which arise in Beats 10, 12 and 13 in Tallapoosa County, Alabama; and in the aforesaid Courts held in Dadeville shall be tried all actions within the jurisdiction of this Court which arise on the east side of the Tallapoosa River in Tallapoosa County, except those arising in Beats 10, 12 and 13 in Tallapoosa County.

Section 10.a All prosecutions or misdemeanors may be instituted in the Court by making affidavit before the deputy solicitor or the sheriff, and the writ on the affidavit shall be issued by the clerk; and in all preliminary proceedings in prosecutions for felonies begun in the court the same may be instituted by affidavit before the deputy solicitor or the sheriff, and the writ thereon shall be issued by the judge or the clerk. When the defendant is arrested on affidavit and warrant charging a misdemeanor the case shall go to the docket for trial and be tried as though the defendant has been indicted by a grand jury, except as hereinafter provided. The defendant shall not be put upon trial in any cause within five days of his arrest, except with his consent. The judge of the court shall have the right and authority to issue all processes returnable into his court that are not especially provided to be issued by the clerk of the court, but he shall not prepare any summons and complaints, garnishments, detinue attachments, papers or other rights of processes issuing out of the court.

b. All warrants issued in Tallapoosa County for misdemeanors for violations of the rules of the road and other misdemeanors defined or provided for in the Code of Alabama, 1940, Title 36, shall be returnable to the Court of Common Pleas and shall be there tried. In each rule of the road case docketed there shall be imposed and collected as other costs in said case a docketing tax of two dollars ($2.00), which shall be paid into the county treasury.

Section 11. The clerk of the court may appoint a deputy or deputies of the court, who shall hold office at the will of the clerk and receive such portion of the fees in this act provided for the clerk as the clerk of the court may designate. Any such deputy so appointed by the clerk shall have the right in the name of the clerk to file papers and to do all things herein provided to be done by the clerk.

Section 12. All criminal cases in the court shall be tried by the judge thereof without a jury, and the accused shall not have the right to demand a trial by jury, but in all trials of criminal cases in the

court, the judge shall determine both the law and the facts without the intervention of a jury, and in cases of conviction the defendant shall have the right to appeal to the circuit court as provided for in Section 326 of Title 13 of the Code of Alabama (1940), except that appeal bonds shall be approved by the clerk of the court, and a jury trial may there be had on the demand of the defendant, made at the time of taking the appeal.

Section 13. A party aggrieved or desiring to bring a charge of misdemeanor before this court may make affidavit in writing, before the deputy solicitor or the sheriff, that he has probable cause for believing and does believe, that an offense (designate the misdemeanor by name, or by some other phrase which in common parlance designates it) has been committed on the person, or property, or as the case may be, of A. B. (naming the person injured, or as the case may be). Upon application to the judge or the clerk for a warrant of arrest, the judge or clerk of the court shall examine the affiant under oath, and other witnesses if he so desires, touching the offense charged in the affidavit, and if the judge or clerk has probable cause for believing that the offense alleged in the affidavit has been committed he shall issue his warrant of arrest as hereinabove provided. When there is an objection to the validity or sufficiency of any affidavit, complaint, or warrant pending in this court or when a defect appears in any of same the solicitor or other person prosecuting for the State, shall have the right to amend any or all of the papers to which the objection is directed, or where such defect appears; or the solicitor may instead of amending the papers, make a brief statement of the cause of complaint signed by him, which may be substantially in the form provided in Section 259 of Title 15 of the Code of Alabama (1940), and may be amended as herein provided. Thereupon the court shall proceed to try the case either upon the original papers, or the original as amended, or upon the satement or statements filed by the solicitor or other person prosecuting for the State.

Section 14. All proceedings in the court as to judgment for fine and costs, confession of judgment and executions thereon, sentence to jail and — or hard labor for fines and costs and as additional punishment, bail, conditional judgments, forfeitures, judgments, final and alias warrants of arrest, shall be the same in the Court of Common Pleas of Tallapoosa County as are now, or may hereafter be, provided for by law in the circuit courts; and conditional judgments may be set aside therein, reduced or made absolute, and the same orders and judgments may be made and taken in such matters as could be made or taken in the circuit courts; and the same procedure shall be followed, except as otherwise provided by this act.

Section 15. The trial of all criminal appeals from this court in the circuit court shall be de novo, and without any indictment or presentment by the grand jury; but the solicitor shall make a brief statement of the cause of complaint signed by him, in substantially the form prescribed by Section 259 of Title 15 of the Code of Alabama (1940) or the trial may proceed upon the original affidavit or complaint; on the trial of such appeal the court shall be governed by the same rules as to evidence, practice, find of the jury and punishment as if the case had originated in that court.

Section 16. All general laws relating to misdemeanors, now in force or that may hereafter be enacted, shall apply to and extend to this court, unless the contrary be expressly provided or limited by the law so enacted.

Section 17. In all civil actions in this court, the pleadings and process and the time for filing pleadings shall conform to and be gov-

erned by the statute and rules obtaining in the circuit court of Tallapoosa County, Alabama, except the issuance, levy and collection of executions from this court shall be controlled by the laws now applicable to justice courts of this State.

Section 18. In all civil matters in this court the trial shall in all respects be governed by the same rule of pleading, evidence, procedure and practice as now prevail or govern in the circuit courts of this State except as hereinafter provided. A party litigant after being served with statutory interrogatories shall be required to answer the interrogatories within thirty days, and upon his failure to do so shall be subject to the same pains and penalties as are now provided by law for failure to answer interrogatories propounded in the circuit court. Any party desiring to appeal from any judgment rendered in this court, except from judgments for the possession of real estate, may give security for the cost of the appeal in the form of an appeal bond in an amount to be fixed and approved by the clerk; provided that if the party appealing desires to have the judgment superseded, when the judgment is for the payment of money or for the recovery or possession of personal property he may do so by giving a supersedeas bond with good and sufficent security or surety in such an amount as herein provided payable to the adverse party and approved by the clerk with the condition that if he fail in the appeal he will pay such judgment as the circuit court may render in the premises and all such cost and damages as any party aggrieved may sustain by reason of the wrongful appeal and suspension of the execution of the judgment, which appeal bond and security or surety for court cost and supersedeas bonds must be filed with and approved by the clerk within ten days from the date of the rendition of said judgment. The supersedeas bond shall be in an amount double the amount of the judgment and costs of court, if for a judgment for the payment of money; and in an amount double the value of the personal property recovered in the suit and court costs, if for a judgment for the recovery of or possession of personal property. Any party desiring to appeal from any judgment rendered in this court for the possession of real estate may do so and the appeal shall be governed in all respects, including time allowed within which to take the appeal amount and condition of appeal bond, and in all other respects, by the general laws of this State relating to appeals in such cases from judgments of justice of the peace courts. Notice of all appeals in civil cases from this court shall be given the adverse party in such manner and for such time as is prescribed by the general laws of this State relating to notice of appeals from judgments rendered in justice of the peace courts.

Section 19. All civil cases in this court shall be tried by the judge of the court without the intervention of a jury, the judge shall determine both the law and the facts; and either party shall have the right to appeal to the circuit court as hereinabove provided, and on appeal either party may demand a trial by jury on the trial in the circuit court, and the trial in the circuit court shall be de novo.

Section 20. Final judgments rendered in civil causes in such court shall after the expiration of ten days from their rendition be taken and deemed to have passed beyond the control of the court, as if such term of the court at which said judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties from filing a motion to vacate, set aside or modify such judgment or grant a new trial or rehearing within ten days or change or destroy the office of motion for a new trial or rehearing, when so made. Such motion shall be filed with clerk of the court and called to the attention of the court, and the court may thereupon hear the motion or make an order continuing the motion or hearing at a future day,

which motion shall be heard and determined within thirty days from the date of rendering the judgment.

Section 21. The judge of this court shall have the power to impose fines and sentence to hard labor upon convictions in misdemeanor cases, and to punish for contempt by fine not to exceed, $50.00, and imprisonment in the county jail not to exceed five days, either or both, the same as judges of the circuit courts of this State. The judge of this court shall also have power to issue, hear, and determine writs of habeas corpus; and the procedure, practice and rules of the circuit courts of Alabama relating to such writs as are now, or which hereafter may be, provided by law, shall prevail in the Court of Common Pleas of Tallapoosa County. The judge shall have the same power relating to such writs as is now, or hereafter may be, conferred upon the judges of the circuit courts of Alabama; and such power shall extend to all cases where the judges of the circuit courts have authority to issue such writs.

Section 22. The judge of the court shall keep an office in the court house of the county or in such other suitable place in Tallapoosa County as the court of county commissioners may provide; and it shall be the duty of the court of county commissioners to provide an office for the judge, and to furnish and supply the office with the necessary fixtures, stationery, stamps, telephone, lights, heat, and other necessary supplies for the judge of this court; and it shall be the duty of the court of county commissioners and they are hereby directed and authorized, to supply the clerk of the court the necessary minute books, dockets, blank forms, record books and such other books, records and blank forms as are reasonably necessary to the dispatch of the business of this court.

Section 23. The County Court of Tallapoosa County is hereby abolished.

Section 24. All cases and causes now pending in the county court and the juvenile court of Tallapoosa County, and all cases of desertion and non-support and all cases involving domestic relations pending in the probate court, together with the records pertaining to such pending cases, are hereby transferred to the Court of Common Pleas of Tallapoosa County, and the Court of Common Pleas of Tallapoosa County, shall, immediately upon the passage and approval of this act or upon its otherwise becoming a law, assume complete jurisdiction over all of such pending cases, and shall have the same power and control over the same as if they had been originally filed in the Court of Common Pleas of Tallapoosa County, and the clerk of this court shall enter on the appropriate dockets of this court all cases now pending in the county court and the juvenile court of Tallapoosa County, and all cases of desertion and non support and all cases involving domestic relations pending in the probate court. And all judgments heretofore rendered by such courts in the cases hereinabove provided shall be the same and shall have the same force and effect as if they had been rendered by the Court of Common Pleas of Tallapoosa County, and the Court of Common Pleas of Tallapoosa County shall have the same power and control over such judgments and shall issue executions thereon and all other appropriate processes thereon the same and as fully and completely as if such judgments had been originally rendered in the Court of Common Pleas of Tallapoosa County; all of such executions and other processes issued on such judgments heretofore rendered by such courts shall be issued by the clerk of the Court of Common Pleas of Tallapoosa County.

Section 25. If, for any reason, any section, clause, or provision of this act, shall be declared to be invalid or unconstitutional it shall

not be held to affect any other section, clause or provision, but the same shall remain in full force and effect.

Section 26. All laws and parts of laws, whether local, general, or special, in so far as they conflict with the provisions of this act are hereby repealed.

Section 27. This act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. Clay Pless, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Dadeville Record, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 3, Sept. 10, Sept. 17, and Sept. 24, all in the year 1959.

H. CLAY PLESS

Sworn to and subscribed before me October 15, 1959.

CHAS. R. ADAIR, JR.,
Notary Public.

By Mr. Jones:
S. 436. Relating to Tallapoosa County: To impose extra, new and additional duties upon members of the Court of County Commissioners and to provide additional compensation for the performance of such duties.

Committee on Local Legislation

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following local bill will be introduced in the regular session of the Legislature of Alabama at the first opportunity:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County: To impose extra, new and additional duties upon members of the Court of County Commissioners and to provide additional compensation for the performance of such duties.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other duties now imposed upon them by law, the following extra, new and additional duties are hereby imposed upon the members of the Court of County Commissioners of Tallapoosa County.

(a) The Court of County Commissioners shall hold regular meetings during the second and fourth weeks in each month of the year

on a day to be determined, from time to time, by it, and at such other times as are now provided by law.

(b) Each members of the Court of County Commissioners shall make periodic inspections of all public roads and bridges in his district, shall superintend the construction and maintenance of all public roads and bridges in his district, and shall make such reports of his activities to the Court of County Commissioners from time to time, as are necessary to keep it informed as to the condition of the public roads and bridges in his district. The commissioners shall, at least once a year, inspect roads and bridges in each of the districts of the county.

Section 2. The probate judge shall assist members of the Court of County Cimmissioners in the performance of the duties hereby imposed to such extent as may be necessary, but the compensation of the probate judge shall remain as now fixed by law.

Section 3. Each member of the Court of County Cimmissioners shall receive a salary of three hundred and fifty dollars ($350) per month, which shall be in lieu of all fees and allowances except mileage, as now allowed by law to commissioners. The additional compensation which the commissioners receive as a result of the provisions of this Act, over and above the compensation now provided by law, is hereby declared to be performance of the extra, new and additional duties hereby imposed upon them.

Section 4. The provisions of this Act are severable. If any part of this Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 5. All laws and parts of laws, general, special or local, in conflict with the provisions of this Act are repealed.

Section 6. This Act shall become effective on the first day of the first month following its passage, and approval by the Governor, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of The Alexander City Outlook, published semi-weekly at Alexander City, Ala., do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated Sept. 11, 1959, and ending with the issue dated Sept. 29, 1959.

J. C. HENDERSON

Subscribed and sworn before me this 10 day of October, 1959.

T. C. WOLSONCROFT,
Notary Public.

My commission expires May 14, 1963.

By Mr. Robinson:

S. 437. To authorize the governing body of any municipality in the State of Alabama having a population of not less than 75,000 nor more than 125,000 according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of

members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use of facilities under its jurisdiction and control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipality and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes.

Committee on Local Legislation

RESOLUTION

Mr. deGraffenried offered the following Senate Joint Resolution, to-wit:

S.J.R. 34. WHEREAS the members of the Legislature have heard with profound regret of the death on October 18 of William T. Callahan, Jr., beloved brother of Representative A. K. Callahan, and of the death on October 20 of Arthur Blackmon, Mr. Callahan's brother-in-law; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the two Houses extend deepest sympathy to Representative Callahan and to the surviving members of the families of the deceased.

RESOLVED FURTHER, That the Clerk of the House send a copy of this resolution to Mrs. William T. Callahan, Jr., and a copy to the surviving widow of Mr. Blackmon.

And on motion of Mr. deGraffenried, the Rules were suspended and the Resolution was adopted by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars of less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

The question was on the motion of Mr. Webb that the Senate reconsider the vote by which it tabled the deGraffenried substitute for the Webb substitute for the Bill, H.B. 102, and pending Committee amendment, and further that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Givhan	Leonard	Turner	
Barnett	Golson	Moses	Webb	
Caffey	Graham	Porter	Wilson	
Crawford	Green	Roberts	Wyatt	
Farmer	Kendall	Shelton		—18

Nays:

Messrs.:	deGraffenried	Haltom	Robison
Archer	Dumas	Hines	Samford
Berryman	Eddins	Jones	Word
Cooper	Godfrey		—13

Mr. Robinson offered the following amendment to the Webb substitute for the Bill H.B. 102, and pending Committee amendment, to-wit:

Amend Section 4 by adding the following at the end of the second sentence of said Section 4:

"Provided, however, that such application shall contain a statement made by the applicant under oath that he is not at the time of making the application a member of the National Association for the Advancement of Colored People or of the Communist party or any front thereof and that he has not prior to making said application contributed funds to any such organization and that he has never been a member of any such organization."

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Archer	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Leonard	Turner
Caffey	Godfrey	Moses	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Roberts	Word
deGraffenried	Green	Robison	Wyatt
Dumas	Haltom		—33

Nays: —0

Mr. deGraffenried then offered the following substitute for the Webb substitute, as amended, for the Bill, H.B. 102, and pending Committee amendment, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Declaration of Legislative Intent. The Legislature finds as facts and determines that:

1. There exists among citizens of this state a widespread demand for small loans. The scope and intensity of this demand have been increased progressively by many social and economic forces.

2. The expense of making and collecting small loans, which are usually made on comparatively unsubstantial security to wage earners, salaried employees and other persons of relatively low incomes is necessarily high in relation to the amount lent.

3. Such loans cannot be made profitably under the limitations imposed by existing laws relating to interest and usury. These limitations have tended to exclude lawful enterprises from the small loan field. Since the demand for small loans cannot be legislated out of existence, many small borrowers have been left to the mercy of those willing to bear the opprobrium and risk the penalties of usury for a large profit.

4. Interest charges are often disguised by the use of subterfuges to evade the usury law. These subterfuges are so complicated and technical that the usual borrower of small sums is defenseless even if he is aware of the usurious nature of the transaction and of his legal rights.

5. As a result, borrowers of small sums are being exploited, to the injury of the borrower, his dependents, and the general public. Charges are generally exorbitant in relation to those necessary to the conduct of a legitimate small loan business; trickery and fraud are common; and oppressive collection practices are prevalent.

6. These evils characterize and distinguish loans of five hundred dollars ($500.00) or less. Legislation to control this class of loans is necessary to protect the public welfare.

7. It is the intent of the legislature in enacting this law to bring under public supervision those engaged in the business of making such loans, to eliminate practices that facilitate abuse of borrowers, to establish a system of regulation for the purpose of insuring honest and efficient small loan service and of stimulating competitive reductions in charges, to allow lenders who meet the conditions of this Act a rate of charge sufficiently high to permit a business profit, and to provide the administrative machinery necessary for effective enforcement.

Section 2. Definitions. The following words and terms when used in this Act shall have the following meanings unless the context clearly requires a different meaning. The meaning ascribed to the singular form shall apply also to the plural.

"Person" shall include individuals, co-partnerships, associations, trusts, corporations, and any other legal entities.

"License" shall mean a license, issued under the authority of this Act, to make loans in accordance with the provisions of this Act at a single place of business.

"Licensee" shall mean a person to whom one or more licenses have been issued.

"Supervisor" shall mean the Supervisor of the Bureau of Loans of the State Banking Department.

"Bureau" shall mean the Bureau of Loans of the State Banking Department.

"Cash Advance" means the amount of cash or its equivalent that the borrower actually receives or is paid at his direction or on his behalf.

Section 3. Scope (a) No person shall engage in the business of lending in amounts of five hundred dollars ($500) or less and contract for, exact, or receive, directly or indirectly, on or in connection with any such loan, any charges whether for interest, insurance, compensation, consideration, or expense, which in the aggregate are greater than the interest that the lender would be permitted by law to charge for a loan of money if he were not a licensee under this Act, except as provided in and authorized by this Act and without first having obtained a license from the supervisor. For the purpose of this section a loan shall be deemed to be in the amount of five hundred dollars ($500) or less if the net amount or value advanced to or on behalf of the borrower, after deducting all payments for interest, expenses, and charges of any nature taken substantially contemporaneously with the making of the loan, does not exceed five hundred dollars ($500).

(b) Exemptions. This Act shall not apply to any person doing business under the authority of, and as permitted by, any law of this State or of the United States relating to Banks, Savings Banks, Trust Companies, Savings or Building and Loan Associations, Credit Unions as defined by law nor to any lawful, bona fide pawnbroking business nor shall this act apply to any person making loans to their tenants engaged in agriculture, nor to loans by agricultural suppliers to persons whose principal business is farming, nor shall it apply to agriculture credit corporations or associations organized under an Act of the Congress of the United States, nor shall it apply to the business of financing the purchase of motor vehicles, refrigerators or other personal property nor, shall this apply to loans insured or guaranteed by the United States or any of its Agencies.

(c) Evasions. The provisions of subsection (a) of this section shall apply to any person who seeks to evade its application by any device, subterfuge, or pretense whatsoever.

(d) Penalty. Whoever violates or participates in the violation of any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine or not more than five hundred dollars ($500) nor less than one hundred dollars ($100), or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court. Any contract of loan in the making or collection of which any act shall have been done which violates this section shall be void and the lender shall have no right to collect, receive, or retain any principal, interest, or charges whatsoever.

Section 4. Application and Fee. Application for a license shall be in writing, under oath, and in the form prescribed by the supervisor. The application shall give the approximate location where the business is to be conducted and shall contain such further relevant information as the supervisor may require, including the names and addresses of the partners, officers, directors, or trustees, and of such of the principal owners or members as will provide the basis for the investigations and findings contemplated by section 5 of this Act. At the time of making such application, the applicant shall pay to the supervisor the sum of one hundred dollars ($100) as a fee for investigating the application. All licensees under this Act shall pay an annual license of two hundred dollars ($200) which shall be due on October 1 of each year and shall be for one year ending September 30 following, and shall be delinquent on the first day of November of each year. And there shall be a penalty of ten percent (10%) added to such license upon delinquency and collected by the bureau. If any applicant licensed under this Act for the first time shall commence business after the first day of April in any year, the amount of the

license shall be one-half of the amount of a full year's license. The amount of the license (and penalties if any) shall be paid to the supervisor of the bureau of loans, who shall remit the same to the treasurer of the State of Alabama as provided by law. The license herein provided for shall be in addition to all other licenses now or hereafter provided for by law, and shall be in addition to the tax provided for by Chapter 18, Title 51, Code of Alabama (1940) as amended; and the amount of the license levied by this section shall not be credited upon or deducted from, in whole or in part, the tax levied by said Chapter 18, as amended, as to the current state tax year or as to any prior or subsequent state tax year. No refunds for the current or any prior or subsequent state tax year or any portion of the tax levied by said Chapter 18, as amended, shall be made on the ground that the license levied by this section was not credited upon or deducted from the tax levied by said Chapter 18, as amended; and no suit or action shall lie to enforce any claim for such refund.

Section 5. (a) Investigation of Application. Upon the filing of such application and the payment of such fees, the supervisor shall investigate the facts concerning the application and the requirements provided for in subsection (b) of this section. The supervisor shall grant or deny such application for a license within ninety days from the filing thereof with the required information and fees unless the period is extended by written agreement between the applicant and the supervisor.

(b) Issuance of License. If the supervisor shall find that the liquid assets, financial responsibility, experience, character, the general fitness of the applicant are such as to warrant the belief that the business will be operated lawfully, honestly, fairly, and efficiently, within the purposes of this Act, and that allowing such applicant to engage in the business would promote the convenience and advantage of the community in which the business of the applicant is to be conducted, he shall thereupon enter an order granting such application, and file his findings with the bureau, and forthwith issue and deliver a license to the applicant.

(c) Denial of License. If the supervisor shall not so find, he shall notify the applicant in writing who may request a hearing on the application. The request for a hearing must be within thirty (30) days of the rejection with the hearing to be held within thirty (30) days of the date of the request. After such hearing, or, if no hearing is demanded, the supervisor may deny such application by written order, accompanied by his findings of fact, and shall deliver a copy of such order and findings to the applicant. The investigation fee shall be retained by the supervisor while the license fee shall be returned to the applicant.

Section 6. (a) Posting of License. Each license shall state the address at which the business is to be conducted and shall state fully the name of the licensee, and if the licensee is a co-partnership or association, the names of the members thereof, and if a corporation, the date and place of its incorporation. Each license shall be kept conspicuously posted in the licensed place of business and shall not be transferable or assignable.

(b) Continuing License. Each license shall remain in full force and effect until surrendered, revoked, or suspended as hereinafter provided.

Section 7. (a) Place of Business. Not more than one place of business shall be maintained under the same license, but the super-

visor may issue additional licenses to the same licensee upon his compliance with all the provisions of this Act governing the issuance of the first or original license.

(b) Removal. No change in the place of business of a licensee to a location outside of the original municipality shall be permitted under the same license. When a licensee wishes to change his place of business within the same municipality, he shall give written notice thereof to the supervisor who shall investigate the facts, and if he shall find the proposed location is reasonably accessible to borrowers under existing loan contracts, he shall enter an order permitting the change and shall amend the license accordingly. If the supervisor shall not so find he shall enter an order denying the licensee such permission in the manner specified in and subject to the provisions of Section 5 (c) of this Act.

(c) Residence of Borrower. Nothing in this Act shall be construed to restrict the loans of any licensee to residents of the community in which the licensed place of business is situated.

Section 8. (a) Revocation of License. The supervisor shall, upon ten days' written notice to the licensee stating the contemplated action and in general the grounds therefor, and upon reasonable opportunity to be heard, revoke any license issued hereunder if he finds that:

1. The licensee has failed to pay the annual license fee; or that

2. The licensee, either knowingly or without the exercise of due care to prevent the same, has violated any provisions of this Act or any regulation or order lawfully made pursuant to and within the authority of this Act; or that

3. Any fact or condition exists which, if it had existed or had been known to exist at the time of the original application for such license, clearly would have justified the supervisor in refusing originally to issue such license, except the license shall not be revoked because of convenience and advantage; or that

4. The licensee is found guilty by the supervisor of using unreasonable collection tactics.

(b) Suspension of License. If the supervisor finds that probable cause for revocation of any license exists and that enforcement of the Act requires immediate suspension of such license pending investigation, he may, upon three days' written notice and a hearing, enter an order suspending such license for a period not exceeding thirty days.

(c) Records and Notice. Whenever the supervisor shall revoke or suspend a license issued pursuant to this Act, he shall enter an order to that effect and forthwith notify the licensee of the revocation or suspension. Within five days after the entry of such an order he shall file with the bureau his findings and a summary of the evidence supporting them, and he shall forthwith deliver a copy thereof to the licensee.

(d) Surrender of License. Any licensee may surrender any license by delivering it to the supervisor with written notice of its surrender, but such surrender shall not affect his civil or criminal liability for acts committed prior thereto.

(e) Pre-Existing Contracts. No revocation, suspension, or surrender of any license shall impair or affect the obligation of any preexisting contract between the licensee and any borrower.

(f) Reinstatement of License. The superivsor may reinstate suspended licenses or issue new licenses to a person whose license or licenses have been revoked if no fact or condition then exists which clearly would have justified the supervisor in refusing originally to issue such license under this Act.

(g) Complaints of Violation Investigated. The supervisor shall, upon sworn complaint of any borrower, investigate or cause to be investigated any alleged violation of this Act.

Section 9. (a) Annual Examinations of Licensee. At least once each year and at such other time as may be deemed necessary by the supervisor of the bureau of loans an examination shall be made of the place of business of each licensee and of the loans, transactions, books, papers and records of such licensee so far as they pertain to the business licensed under this Act. As cost of examination the licensee shall pay to the bureau of loans under such rules and regulations as may be reasonably prescribed by the supervisor thereof with the approval of the superintendent of banks an examining fee for fifty dollars ($50) per day or any part thereof for each examiner and in addition thereto ten dollars ($10) per day per examiner as per diem; provided, however, that no licensee whose business is free from willful violations of this Act shall be required to pay more than a total sum of four hundred ($400) in any twelve (12) month period as examiners fees; provided, further, that all fees collected by the bureau of loans under the terms of this section shall be paid into a special fund to be set up by the State Treasury; the special fund shall be used to pay the salaries of the officials and employees and the expenses of the bureau of loans, and all moneys deposited therein are hereby appropriated for that purpose; provided, however, nothing herein shall be construed to mean that all salaries of the officials and employees and expenses of operating the bureau of loans shall come from the special fund.

(b) Investigations. For the purpose of discovering violations of this Act or of securing information lawfully required hereunder, the supervisor o rhis duly authorized representatives may at any time investigate the business and examine the books, accounts, papers, and records used therein, of (1) any licensee, (2) any other person engaged in the business described in Section 3 (a) of this Act or participating in such business as principal, agent, broker, or otherwise, and (3) any person who the supervisor had reasonable cause to believe is violating or is about to violate any provision of this Act, whether or not such person shall claim to be within the authority or beyond the scope of this Act. For purposes of this section, any person who shall advertise for, solicit, or hold himself out as willing to make loan transactions in the amount or of the value of five hundred dollars ($500) or less shall be presumed to be engaged in the business described in Section 3 (a) of this act.

(c) Access to Records. Witnesses. For the purposes of this section, the supervisor or his duly authorized representatives shall have and be given free access to the offices and places of business, files, safes, and vaults of all such persons, and shall have authority to require the attendance of any person and to examine him under oath relative to such loans or such business or to the subject matter of any examination, investigation, or hearing.

(d) Cease and Desist Orders: Injunctions: Receivers. Whenever the supervisor has reasonable cause to believe that any person is violating or is threatening to or intends to violate any provision of this Act, he may in addition to all actions provided for in this Act,

and in addition to all other remedies that he may have at law or in equity, and without prejudice thereto enter an order requiring such person to desist or to refrain from such violation; and an action may be brought on the relation of the Attorney General or the supervisor to enjoin such person from engaging in or continuing such violation or from doing any act or acts in furtherance thereof. In any such action, an order or judgment may be entered awarding such preliminary or final injunction as may be deemed proper. In addition to all other means provided by law for the enforcement of a restraining order or injunction, the court in which such action is brought shall have power and jurisdiction to impound, and to appoint a receiver for the property and business of the defendant, including books, papers, documents, and records pertaining thereto or so much thereof as the court may deem reasonably necessary to prevent violations of this Act through or by means of the use of said property and business. Such receiver, when appointed and qualified, shall have such powers and duties as to custody, collection, administration, winding up, and liquidation of such property and business as shall from time to time be conferred upon him by the court.

Section 10. (a) Books and Records. Each licensee shall keep and use in his business such books, accounts, and records as will enable the supervisor to determine whether such licensee is complying with the provisions of this Act and with the orders and regulations lawfully made by the supervisor hereunder. Each licensee shall preserve such books, accounts, and records for at least two years after making the final entry on any loan recorded therein.

(b) Annual Reports. (1) Each licensee shall annually, on or before the first day of May, file a report with the supervisor as to each licensed place of business under this Act, covering the preceding calendar year. This report shall include the following information, all reported in accordance with sound and generally accepted accounting practice;

(a) Balance sheets at the beginning and end of the period.

(b) A statement of income and expense for the period.

(c) A reconciliation of surplus or net earnings with the balance sheets.

(d) A schedule of assets used and useful in the business.

(e) An analysis of charges, sizes of loans and types of security on loans and an analysis of delinquent accounts.

(f) An analysis of suits, repossessions and sales of chattels.

(g) The type of business organization and if the licensee is a corporation, the principal officers and the resident agent, the partners, if the licensee is a partnership or, the owner, if a sole proprietorship.

(2) If the licensee conducts other business or is affiliated with other licensees under this Act, or, if any other situation exists under which allocations are necessary, the licensee shall make such allocation according to appropriate and reasonable methods.

(3) If the licensee is affiliated with other licensees under this Act, a composite report may be filed on behalf of all affiliated licen-

sees within the State of Alabama, but such composite report shall not be required by the supervisor.

(4) Such report shall be made under oath and shall be in the form prescribed by the supervisor who shall make and publish annually an analysis and recapitulation of such reports.

Section 11. (a) Rules, Regulations and Orders. The supervisor shall have authority to make reasonable rules, regulations and orders for the administration and enforcement of this Act, in addition hereto and not inconsistent herewith. Such regulation or order shall be referenced to the Section or Sections of the Act which set forth the legislative standard which it interprets or to which it applies. Every regulation shall be promulgated by an order, and any ruling, demand, requirement, or similar administrative act may be promulgated by an order. Every order shall be in writing, shall state its effective date and the date of its promulgation, and shall be entered in an indexed permanent book which shall be a public record. A copy of every order promulgating a regulation and of every other order containing a requirement of general application shall be mailed to each licensee at least ten days before the effective date thereof. The failure of a Licensee to receive a copy of the regulations shall not exempt him from the duty of compliance with the valid regulations lawfully issued.

(b) Certified Copies of Official Documents. On application of any person and payment of the costs thereof, the supervisor shall furnish, under his seal and signed by him or his deputy, a certified copy of any license, regulation, or order. In any court or proceeding such copy shall be prima facie evidence of the fact of the issuance of such license, regulation or order.

Section 12. (a) Advertising. No licensee or other person subject to this Act shall advertise, display, distribute, or broadcast or cause to permit to be advertised, displayed, distributed, or broadcast, in any manner whatsoever, any false, misleading, or deceptive statement or representation with regard to the rates, terms, or conditions for loans in the amount or of the value of five hundred dollars ($500) or less. The supervisor may require that charges or rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers. The supervisor may permit or require licensees to refer in their advertising to the fact that their business is under state supervision, subject to conditions imposed by him to prevent an erroneous impression as to the scope or degree of protections provided by this Act.

(b) Schedule of Charges. Each licensee shall prominently display in each licensed place of business a full and accurate schedule of the rates of charge upon all classes of loans currently to be made by him.

Section 13. (a) Other Business in Same Office. No licensee shall conduct the business of making loans under this Act within any office, suite, room, or place of business in which any other business is solicited or engaged in or in association or conjunction with any other business until three days' written notice of an intention so to do has been given the supervisor. Upon receipt of written notification, the supervisor may investigate the facts and, if he finds that the character of the licensee and the nature of the other business warrant belief that such conduct of business would conceal violation or evasion of this Act or of regulations lawfully made hereunder, he shall enter an order directing the licensee to discontinue said

other business. The order shall be entered in the manner specified in and subject to the provisions of Section 5 (c) of this Act.

(b) Business Confined to Licensed Office. No licensee shall conduct the business of making loans provided for by this Act under any name, or at any place of business within this state, other than that stated in the license. Nothing herein shall prevent the making of loans by mail nor prohibit accommodations to individual borrowers when necessitated by sickness or other emergency situations.

(c) Liens on Real Estate. No licensee shall take a lien upon real estate as security for any loan made under this Act, except such lien as is created by law through the rendition or recording of a judgment.

Section 14. (1) MAXIMUM RATE OF CHARGE. Every licensee hereunder may contract for and receive, on any cash advanced (amount of the cash, or its equivalent, that the borrower actually receives or is paid out at his direction or on his behalf) not exceeding five hundred dollars ($500) in amount, charges not in excess of twenty dollars ($20) per year per one hundred dollars ($100) on that part of the cash advanced not exceeding three hundred dollars ($300); sixteen dollars ($16) per year per one hundred dollars ($100) on that part of the cash advanced exceeding three hundred dollars ($300) but not exceeding five hundred dollars ($500), when the cash advanced is made for a period of one year, and proportionately at these rates for a greater or lesser amount within said limits or for a greater or lesser period of time, notwithstanding any agreement to repay the loan obligation in installments. Said charges and the cash advanced shall be aggregated at the date of the loan for the entire period of the loan and this aggregated amount shall be repayable in installments in the manner provided in subsection 7 of this section. For the purpose of computing charges for a fraction of a month, a day shall be considered one-thirtieth of a month.

(2) CHARGES ON LOANS OF NINETY DOLLARS ($90) OR LESS. On a cash advance of ninety dollars ($90) or less a licensee may charge, in lieu of charges specified in subsection (1) of this section, not in excess of one dollar ($1) for each five dollars ($5) of cash advanced to the borrower, up to the amount of ninety dollars ($90); and a period of at least fifteen (15) days must be allowed for the repayment of each five dollars ($5) of the cash advanced, such charges cannot be assessed by any subterfuge or device on any loan over ninety dollars ($90) or on any balance of ninety dollars ($90) or less when the original cash advanced was greater than ninety dollars ($90).

(3) REFUND. When any loan contract is paid in full by cash, a new loan, renewal or otherwise, one month or more before the final installment date, the licensee shall refund or credit the borrower with that portion of the total charges which shall be due the borrower as determined by schedules prepared under the rule of 78ths or sum of the digits principle as follows: The amount of the refund or credit shall be as great a proportion of the total charges originally contracted for as the sum of the periodic time balances of the contract scheduled to follow the date of repayment bears to the sum of all the periodic time balances of the contract, both sums to be determined according to the payment schedule originally contracted for. No refund shall be required for any partial prepayment and no refund of less than one dollar ($1) need be made.

(4) DEFAULT OR EXTENSION CHARGES. If the contract so provides, the additional charge for any installment past due five

(5) or more days, whether by reason of default or extension agreement, may be five per cent (5%) of the installment past due and said amount may be charged once and no more.

(5) RECORDING FEES. The licensee may collect from the borrower the actual fees paid a public official, or agency of the State, for filing, recording or releasing any instrument securing the loan.

(6) NO FURTHER CHARGES, NO SPLITTING CONTRACTS, CERTAIN CONTRACTS VOID. No further or other charges shall be directly or indirectly contracted for or received by any licensee except those specifically authorized by this Act. No licensee shall divide into separate parts any contract made for the purpose of or with the effect of obtaining charges in excess of those authorized by this Act. All balances due to a licensee from any person, as a borrower, or as an endorser, guarantor or surety for any borrower or otherwise, or due from any husband or wife, jointly or severally, shall be considered a part of any loan being made by a licensee to such person for the purpose of computing charges. If any amount in excess of the charges permitted by this act is charged, contracted for, or received, except as the result of an accidental and bona fide error of computation, the contract of loan shall be void and the licensee shall have no right to collect or receive any cash advanced, charges or recompense whatsoever. Any borrower may recover the full amount of principal and charges paid by him on any contract made in violation of this section, together with a reasonable attorney fee, by action at law or in equity brought within twelve months from the date of the last payment of principal or charges on such contract.

(7) INSTALLMENT PAYMENT, CONTRACT PERIOD. No licensee shall enter into any contract of loan under this Act in which the borrower agrees to make any scheduled repayment of the cash advance more than twenty-five (25) calendar months from the date of making such contract of loan. Every loan contract shall require payment of the cash advance and charges in installments which shall be payable at approximately equal periodic intervals except that payment dates may be omitted to accommodate borrowers with seasonable incomes. No installment contracted for shall be substantially larger than any preceding installment. When a loan contract provides for monthly installments, the first installment may be payable at any time within forty-five (45) days of the date of the loan and the charges for the number of days in excess of thirty (30) from the date of making may be added to the scheduled amount of said installment.

(8) Interest as provided in this Act shall not accrue or be recovered or charged on any loan made under this Act for any longer than six months after the due date of the final installment of principal or interest. After the expiration of said six months period interest may be charged at a rate not to exceed eight per cent per annum.

Section 15. (a) Requirements for Making and Payment of Loans. Every licensee shall:

1. At the time a loan is made deliver to the borrower or if there be two or more borrowers, to one of them, a copy of the loan contract, or a written statement in the English language showing in clear and distinct terms:

(i) The name and address of the lender and one of the primary obligors on the loan;

(ii) The date of the loan contract;

(iii) Schedule of installments or description thereof;

(iv) The Cash Advance;

(v) The face amount of the note evidencing the loan;

(vi) The amount collected or paid for insurance, if any;

(vii) The amount collected or paid for filing or other fees allowed by this Act;

(viii) The collateral or security for the loan.

2. Give to the person making any cash payment on account of any loan a receipt at the time such payment is made which receipt need only show the total amount of such cash payment. No receipt shall be required in the case of payments made by the borrower's check or money order, and the use of a coupon book system shall be deemed in compliance with this Section.

3. Permit the payment to be made in advance in any amount on any contract of loan at any time during a Licensee's regular business hours.

4. Upon repayment of the loan in full, mark plainly every obligation and security signed by any obligor with the word "Paid" or "Cancelled," and release any mortgage, restore any pledge, and cancel and return any note and any assignment given to the licensee.

(b) Confessions of Judgment; Incomplete Instruments. No licensee shall (1) take any confession of judgment or any power of attorney running to himself or to any third person to confess judgment or to appear for the borrower in a judicial proceeding; nor (2) take any note, promise to pay that does not disclose the total amount to be repaid, a schedule of payments or a description thereof, and the agreed rate or aggregate amount of charge, nor any instrument in which blanks are left to be filled in after execution.

Section 16. Additional Security for Loans.

(1) On loans in amounts of One Hundred Dollars ($100) or more, a licensee may accept as additional security for a loan, insurance written on the life of one of the principal obligors under the loan contract. Such insurance must be reasonably related to the hazard or risk of the loan and must not exceed the term of the loan or the approximate amount of the indebtedness at any time during the life thereof.

(2) The premium, or identifiable charge, collected by licensee or its officers, agents or employees on life insurance shall not exceed the lowest premium or identifiable charge for such insurance as filed with and approved by the insurance commissioner of the State of Alabama by a company licensed to do business in the State of Alabama and writing such insurance; provided however that in no event shall the premium or identifiable charge exceed $1.00 per annum for each $100 of life insurance.

(3) Every insurance policy or certificate written in connection with the loan transaction shall provide for cancellation of the coverage and a refund of the unearned premium or identifiable charge upon the discharge of the loan obligation for which such insurance is

security, without prejudice to any claim. Such refund shall be made under a formula filed by the insurer with the Department of Insurance except no refund of less than $1.00 need be made.

(4) In accepting such insurance as security for the loan, the licensee, or an employee, may deduct the premiums or identifiable charge for such insurance from the proceeds of the loan and transmit them to the insurance company.

(5 Any gain or advantage in the form of commission or otherwise, to the licensee or to any employee, affiliate or associate of the licensee from such insurance or its sale shall not be considered an additional or further charge in connection with the loan.

(6) All such insurance shall be written by a company authorized to conduct business in this state and the licensee shall not require the purchase of such insurance from any agent or broker designated by the licensee, nor shall the licensee decline existing coverages which equal or exceed the standards of this Section.

Section 16½. Loans of More Than Five Hundred Dollars ($500). No licensee who makes a loan in excess of Five Hundred Dollars ($500) shall charge, contract for or receive interest in excess of the rates prescribed in Sections 60 or 61 of Title 9, Code of Alabama, 1940, as amended. The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or as endorser, guarantor, or surety for any borrower, or otherwise or any husband and wife jointly or severally, to owe directly or contingently, or both, to the licensee at any time a sum of more than Five Hundred Dollars ($500) for principal. The supervisor may suspend or revoke the license of any licensee who violates this Section, in the manner prescribed by Section 8 of this Act, and the penalties provided for in Section 23 (c) of this Act shall apply to any person, firm or corporation violating this Section.

Section 17. Loans made Elsewhere. Any loans made outside this state in accordance with the law applicable to such loan in the state in which the loan was made may be collected in this state.

Section 18. Review. In addition to any other remedy he may have, any licensee and any person considering himself aggrieved by any act or order of the supervisor hereunder may, within thirty days from the entry of the order complained of, or within sixty days of the act complained of if there is no order, petition the circuit court of Montgomery County to review such act or order; provided such petition shall be docketed, heard and tried in the same manner as any other extraordinary writs issued by the Court and a copy of the petition and order setting the same for hearing shall be served on the supervisor, giving him such notice of the time and place of the hearing as may be directed by the Court.

Section 19. Suits on Debts. In any suit filed on any debt or evidence of any indebtedness governed hereby in any court, the judge thereof shall not render any judgment by default, nil dicit or otherwise until he has heard the testimony of the licensee or of a representative of such licensee, and the judge must on his own motion interrogate such licensee or such other witness to determine whether there has been any violation of the provisions of this Act and whether any charges have been contracted for, made or received in excess of the amount allowed under this Act. If it be made to appear that the provisions of this Act have been violated or that charges in excess of those

allowed have been contracted for, made or received, then the suit shall be dismissed at the cost of the plaintiff. In any such suit the plaintiff must allege that he is a licensee under this Act, and if such plaintiff is subject to this Act and fails to allege in his complaint that he is a licensee hereunder, or if it is shown to the court that he is subject to this Act and is not a licensee then the court ex mero motu shall dismiss the suit at the cost of the plaintiff. No garnishment shall issue in such suit or in connection therewith until after judgment has been rendered.

Section 20. Pre-Existing Contracts. This Act or any part thereof may be modified, amended, or repealed so as to effect a cancellation or alteration of any license or right of a licensee hereunder, provided that such cancellation or alteration shall not impair or affect the obligation of any pre-existing lawful contract between any licensee and any borrower.

Section 21. Status of Pre-Existing Licensees. Any person having a license under Act No. 159, H. 233, approved June 23, 1945, (General Acts of Alabama, 1945, page 200), as amended, in force when this Act becomes effective, or had such a license in effect on September 30, 1959, shall be deemed to have a license under this Act for a period expiring six months after the effective date hereof, if not sooner revoked. Any such license so continued in effect under the provisions of this Act shall be subject to revocation during such six months' period as provided in Section 8 of this Act; except that such license may not be revoked nor shall an application for a new license be denied upon the ground that the convenience and advantage of such community will not be promoted by the operation therein of such business.

Section 22. Records. (a) The supervisor shall cause to be kept on file in the bureau of loans, open to public inspection during business hours, an alphabetical listing of all licensees doing business in Alabama; and such list shall reveal the true ownership of the licensee companies. If the company is a corporation, the list shall indicate the name of the corporation, the address of the home office, and the names and addresses of its officers and directors.

(b) Except as provided in subsection (a) of this section, all applications, reports, and other papers and documents submitted by licensees to the supervisor or to the bureau shall be open to public inspection only upon approval of the supervisor; but the supervisor shall not deny any person access to such records when the disclosure thereof to such person is in the public interest.

Section 23. (a) Repealer. The provisions of Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200), as amended, in conflict herewith are hereby repealed. And all other laws or parts of laws which conflict with this Act are also repealed. But such repeal shall not be considered an abolition of the bureau of loans, whose existance is hereby continued as a state agency, for the purpose of administering and enforcing this Act.

(b) Status of Pre-Existing Obligations. Nothing herein contained shall be so construed as to impair or affect the obligation of any contract of loan between any licensee under Act. No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200), as amended, and any borrower which was entered into prior to the effective date of this Act.

(c) Any person, firm, corporation or association who shall willfully violate any of the provisions of this Act for which a specific

penalty is not herein specifically provided shall be guilty of a misdemeanor and upon convictions thereof shall be punished by a fine of not more than Five Hundred Dollars ($500), nor less than One Hundred Dollars ($100), or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

Section 24. If a part of this Act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of the Act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 25. Citation of Act. This Act shall be known and may be cited as the "Alabama Small Loan Act."

Section 26. Effective Date. This Act shall become effective 60 days after its passage and approval by the Governor, or 60 days after its otherwise becoming a law.

On motion of Mr. Webb, the substitute offered by Mr. deGraffenried was laid on the table.

Yeas 20; Nays 10.

Yeas:

Messrs.:	Gaither	Kendall	Shelton	
Barnett	Givhan	Leonard	Turner	
Crawford	Golson	Moses	Webb	
deGraffenried	Graham	Porter	Wilson	
Eddins	Green	Roberts	Wyatt	
Farmer				—20

Nays:

Messrs.:	Dumas	Hines	Samford	
Archer	Godfrey	Jones	Word	
Berryman	Haltom	Robison		—10

Mr. deGraffenried moved that the Senate reconsider the vote by which it tabled the substitute offered by Mr. deGraffenried for the Webb substitute, as amended, for the Bill, H. B. 102, and pending Committee amendment.

MOTION TO RECESS ADOPTED

At 5:01 P. M., on motion of Mr. deGraffenried, the Senate took a recess until 5:31 P. M.

The Recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Caffey	Eddins	Golson
Andrews	Cooper	Farmer	Graham
Archer	Crawford	Gaither	Green
Barnett	deGraffenried	Givhan	Haltom
Berryman	Dumas	Godfrey	Hines

Jones	Porter	Samford	Wilson	
Kendall	Roberts	Shelton	Word	
Leonard	Robison	Turner	Wyatt	
Moses	Rutledge	Webb		—34

FURTHER CONSIDERATION OF H. B. 102

The Senate proceeded to further consideration of the Bill, H. B. 102. The question was on the motion of Mr. deGraffenried that the Senate reconsider the vote by which it tabled the substitute offered by Mr. deGraffenried for the Webb substitute, as amended, for the Bill, H. B. 102, and pending Committee amendment.

MESSAGE FROM THE GOVERNOR

October 21, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the State Docks Advisory Committee, for the term expiring September 28, 1963:

Honorable Glen Brock, President, GM&O Railroad Company, Mobile, Alabama, From Mobile County.

Honorable E. L. Toenes, Mobile, Alabama, From the First District.

Honorable Richard Murray, Fairhope, Alabama, From the Second District.

Honorable Ennis Gibbons, Pinckard, Alabama, From the Third District.

Honorable Cecil H. Young, Jr., attorney at Law, Anniston, Alabama, From the Fourth District.

Honorable Tom Russell, President, Russell Manufacturing Co., Alexander City, Alabama, From the Fifth District.

Honorable Conrad Fowler, Judge of Probate, Columbiana, Alabama, From the Sixth District.

Honorable Clarence Gardner, Jasper, Alabama, From the Seventh District.

Honorable Jess Keller, Attorney at Law, Florence, Alabama, From the Eighth District.

Honorable William D. Sellers, President, Baggett Transportation Co., Birmingham, Alabama, From the Ninth District.

Respectfully,

JOHN PATTERSON
Governor

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the appointment of members to the State Docks Advisory

Committee, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

October 21, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Board of Trustees of Alabama College:

Mrs. James Fitts Hill, Montgomery, Alabama, From the Second District, For the term expiring in January, 1971.

Mrs. Marvin Raines, Fort Payne, Alabama, From the Fifth District, For the term expiring in January, 1971.

Honorable W. Van Gilbert, Athens, Alabama, From the Eighth District, For the term expiring in January, 1971.

Honorable Joe L. Jennings, Lanett, Alabama, From the State at Large, For the term expiring in January, 1971.

Respectfully,

JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, pertaining to the appointment of members of the Board of Trustees of Alabama College, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

October 21, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the State Board of Education:

Honorable J. T. Albritton, Andalusia, Alabama, From the Second District, For the term expiring September 30, 1965.

Honorable W. C. Davis, Fayette, Alabama, From the Seventh District, For the term expiring September, 30, 1965.

Honorable Cecil Word, Scottsboro, Alabama, From the Eighth District, For the term expiring September 30, 1965.

Respectfully,

JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the appointment of members to the State Board of Education, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

October 21, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Board of Plumbers Examination and Registration:

A. W. Seier, Jr., Birmingham, Alabama, Public Representative, Term expires October 31, 1961.

Marion T. Harris, Mobile, Alabama, Appliance Dealer, Term expires October 31, 1961.

Ellis L. McDonald, Mobile, Alabama, Master Plumber, Term expires October 31, 1962.

Paul Pate, Birmingham, Alabama, Health Officer, Term begins October 31, 1959 and ends October 31, 1963.

Robert O. Shepherd, Sr., Birmingham, Alabama, Journeyman Plumber, Term begins October 31, 1959 and ends October 31, 1963.

Respectfully,

JOHN PATTERSON,
Governor

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment of members of the Board of Plumbers Examination, was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF H. B. 102

The Senate proceeded to further consideration of the Bill, H. B. 102. The question was on the motion of Mr deGraffenried that the Senate reconsider the vote by which it tabled the substitute offered by Mr. deGraffenried for the Webb substitute, as amended, for the Bill, H. B. 102, and pending Committee amendment.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-ninth Legislative Day and

finds same correct and containing all original entries and references therto required by the Constitution.

DENNIS PORTER,
Chairman

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Twenty-ninth Legislative Day was approved by the Senate.

ADJOURNMENT

At 6:20 P. M., on motion of Mr. Turner, pending further consideration of H. B. 102, the Senate adjourned until Friday, October 23, 1959, at 11 o'clock A. M.

Yeas 19: Nays 13.

Yeas:

Messrs.:	Farmer	Kendall	Shelton	
Andrews	Givhan	Leonard	Turner	
Barnett	Golson	Moses	Webb	
Crawford	Graham	Porter	Wilson	
Eddins	Green	Roberts	Wyatt	
				—19

Nays:

Messrs.:	Cooper	Haltom	Robison	
Archer	deGraffenried	Hines	Rutledge	
Berryman	Dumas	Jones	Word	
Caffey	Godfrey			—13

THIRTIETH LEGISLATIVE DAY

FRIDAY, OCTOBER 23, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by The Reverend B. D. Gaither, Pastor, Asbury Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Hines	Samford	
Archer	Eddins	Jones	Shelton	
Barnett	Farmer	Kendall	Turner	
Berryman	Givhan	Leonard	Webb	
Caffey	Golson	Porter	Wilson	
Cooper	Graham	Roberts	Word	
Crawford	Green	Robison	Wyatt	
deGraffenried	Haltom	Rutledge		—30

JOURNAL

On motion of Mr. Archer, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Cooper, leaves of absence were granted Messrs. Gaither, Moses and Godfrey for today.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hocklander, Murphy, Callahan, Britton, Sessions, Morrow, and Trimmier.

H. 975. To amend Section 33 of Act No. 100 enacted at the Second Special Session of the Legislature of Alabama of 1959, entitled "An Act to raise revenue; Levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 975. To the Committee on Finance and Taxation.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the unfinished business for today, which was the bill:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

The question was on the motion of Mr. deGraffenried that the Senate reconsider the vote by which it tabled the substitute offered by Mr. deGraffenried for the substitute offered by Mr. Webb, as amended, for the bill, H. B. 102, and pending Committee amendment.

On motion of Mr. Webb, the motion to reconsider was laid on the table.

Yeas 17; Nays 12.

Yeas:

Messrs.:	Farmer	Leonard	Turner
Barnett	Golson	Porter	Webb
Caffey	Graham	Roberts	Wilson
Crawford	Green	Shelton	Wyatt
Eddins	Kendall		—17

Nays:

Messrs.:	deGraffenried	Hines	Rutledge
Archer	Dumas	Jones	Samford
Berryman	Haltom	Robison	Word
Cooper			—12

Mr. deGraffenried then offered the following amendment to the substitute offered by Mr. Webb, as amended, for the Bill, H. B. 102, and pending Committee amendment, to-wit:

Amend the substitute as amended for House Bill 102, by striking from said bill Section 16½ on page 11 and insert in lieu thereof the following:

"Section 16½. Loans of More Than Two Hundred Dollars ($200). No licensee, person, firm or corporation who makes a loan in excess of two hundred dollars ($200) shall charge, contract for or receive interest in excess of the rates prescribed in Sections 60 or 61 of Title 9, Code of Alabama, 1940, as amended. The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or as endorser, guarantor, or surety for any borrower, or otherwise or any husband and wife jointly or severally, to owe directly or contingently, or both, to the licensee at any time a sum of more than two hundred dollars ($200) for principal. The supervisor may suspend or revoke the license of any licensee who violates this section, in the manner prescribed by Section 8 of this Act, and the penalties provided for in Section 23(c) of this Act shall apply to any person, firm or corporation violating this section."

Which Was Adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Samford
Archer	Eddins	Jones	Shelton
Barnett	Farmer	Kendall	Turner
Berryman	Givhan	Leonard	Webb
Caffey	Golson	Porter	Wilson
Cooper	Graham	Roberts	Word
Crawford	Green	Robison	Wyatt
deGraffenried	Haltom	Rutledge	—30

Nays: —0

Mr. Webb then offered the following amendment to the substitute, as amended, for the Bill, H. B. 102, and pending Committee amendment, to-wit:

Substitute the following for subsection (c) of Section 3:

(c) Evasions. The provisions of subsection (a) of this section shall apply to any person who seeks to evade its application by any

device, subterfuge, or pretense whatsoever including, but not thereby limiting the generality of the foregoing: the loan, forbearance, use, or sale of credit (as guarantor, surety, endorser, co-maker, or otherwise), money, insurance, goods, or things in action; the use of collateral or related sales or purchases of goods or services, or agreements to sell or purchase, whether real or pretended; receiving or charging compensation for goods or services, whether or not sold, delivered, or provided; and the real or pretended negotiation, arrangement, or procurement of a loan through any use or activity of a third person, whether real or fictitious.

Which was adopted.

Mr. Dumas then offered the following amendment to the substitute, as amended, for the Bill, H. B. 102, and pending Committee amendment, to-wit:

Amend subsection (6) of Section 14 of the Substitute for House Bill No. 102 by adding at the end of the next to the last sentence, the following:

"; and the licensee and the several members, officers, directors, agents and employees thereof who shall have participated in such violation, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500) and not less than one hundred dollars ($100) or by imprisonment of not more than six months, or by both such fine and imprisonment, in the discretion of the court."

Which was adopted.

Mr. Webb then offered the following amendment to the substitute, as amended, for the Bill, H. B. 102, and pending Committee amendment, to-wit:

On page 8, substitute the following for subsection (c) of Section 13:

(c) Liens on Real Estate. No licensee shall take a lien upon real estate as security for any loan made under this Act, except such lien as is created by law through the rendition or recording of a judgment.

Which was adopted.

Mr. Haltom then offered the following amendment to the substitute, as amended, for the Bill, H. B. 102, and pending Committee amendment, to-wit:

Amend Section 14 of the substitute for H. B. 102 by adding thereto sub-section nine as follows:

(9) No licensee shall induce or permit any person, or any husband and wife jointly or severally, to become obligated directly or contingently, or both, under more than one contract of loan at the same time, for the purpose of obtaining a higher rate of charge than would otherwise be permitted by this section. And it shall be unlawful for any licensee to evade, or attempt to evade this section by inducing a customer to borrow from another loan company in which he has a pecuniary interest or with whom he has an arrangement for exchange of customers.

Which was adopted.

Mr. Dumas then offered the following amendment to the substitute, as amended, for the Bill, H. B. 102, and pending Committee amendment, to-wit:

Amend Section 14 (2-A) of said substitute by deleting said Section (2-A).

On motion of Mr. Turner, said amendment was laid on the table.

Yeas 16; Nays 11.

Yeas:

Messrs.:	Golson	Leonard	Turner
Barnett	Graham	Porter	Webb
Crawford	Green	Roberts	Wilson
Eddins	Kendall	Shelton	Wyatt
Givhan			

—16

Nays:

Messrs.:	Cooper	Haltom	Robison
Archer	deGraffenried	Hines	Rutledge
Berryman	Dumas	Jones	Word

—11

RECESS

At 12:25 P. M., on motion of Mr. Turner, pending further consideration of H. B. 102, the Senate took a Recess until 1:45 this afternoon.

AFTERNOON SESSION

THIRTIETH LEGISLATIVE DAY

FRIDAY, OCTOBER 23, 1959

The Senate reassembled at 1:45 P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	deGraffenried	Haltom	Rutledge
Andrews	Dumas	Hines	Samford
Archer	Eddins	Jones	Shelton
Barnett	Farmer	Kendall	Turner
Berryman	Givhan	Leonard	Webb
Caffey	Golson	Porter	Wilson
Cooper	Graham	Roberts	Word
Crawford	Green	Robison	Wyatt

—31

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones:

S. 438. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The following officers of Elmore County shall be entitled to receive annual salaries in lieu of any fees, commissions, allowances, percentages, charges, and costs, except as herein otherwise provided:

1. The judge of probate shall receive an annual salary of ten thousand dollars, which shall include compensation for all ex officio duties.

2. The sheriff shall receive an annual salary of nine thousand dollars. The sheriff shall also be entitled to an allowance of one hundred fifty dollars a month for travel expenses.

3. The tax assessor shall receive an annual salary of seven thousand eight hundred dollars.

4. The tax collector shall receive an annual salary of six thousand two hundred dollars.

5. The clerk of the circuit court shall receive an annual salary of six thousand dollars, which shall include his compensation for all ex officio duties including services as ex officio Clerk of the Elmore County Court.

6. The register of the circuit court shall receive an annual salary of one thousand eight hundred dollars.

(b) The court of county commissioners, board of revenue, or other like governing body of Elmore County may, in its discretion, decrease the salaries of anyone or more of the officers enumerated in subsection (a), provided that such decrease shall not take effect during the term for which such officer was elected or appointed, and provided also that the salary of the judge of probate shall not be reduced below seven thousand two hundred dollars per annum, the salary of the sheriff shall not be reduced below six thousand dollars per annum, the salary of the tax assessor shall not be reduced below five thousand four hundred dollars per annum, the salary of the tax collector shall not be reduced below five thousand dollars per annum, the salary of the clerk of the circuit court shall not be reduced below five thousand dollars per annum, and the salary of the register of the circuit court shall not be reduced below twelve hundred dollars per annum.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Elmore County shall provide compensation for clerks, assistants, and secretaries for the officers enumerated in this Act in such number as may be necessary for the efficient conduct of their offices; provided, the judge of probate shall not be allowed more than two full time clerks, and each of the other two officers, other than the sheriff, shall not be allowed to appoint but one clerk, assistant, or secretary. The sheriff shall be allowed the same number of deputies, jailers, and other assistants as are now provided by law, who shall receive the compensation and allowances as now prescribed by law. Temporary clerks and assistants may be allowed any of such officers from time to time as may be considered necessary by the county governing body. Each officer shall appoint his own deputies, clerks, secretaries, and assistants, and shall fix their compensation, subject to the approval of the board of revenue, county commissioners, or other like county governing body as to number and rate of pay, except as herein otherwise provided. The sheriff shall also be allowed to appoint one full time clerk, whose compensation shall be fixed by the county governing body.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers enumerated in Section 1 of this Act shall hereafter be collected for the use of the county and shall be paid into the general fund of the county. Provided, the sheriff may retain for his own use and benefit, such mileage and expense allowances as may be payable from the state treasury for returning prisoners. The compensation of the officers enumerated in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Elmore County shall provide the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register of the circuit court, with the books, stationery, office equipment, supplies, postage, and other conveniences as may be necessary for the proper and efficient conduct of the affairs of their respective offices, but not including motor vehicles; and may provide for the installation, repair, and maintenance of an inter-communication system for the sheriff and his deputies.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each county office specified at the expiration of the term of the incumbent officer, and upon the ratification of an amendment to the Constitution of Alabama submitted pursuant to H. B. 193, Act No. 125, Regular Session 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was vice-president of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attacehd notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 1, October 8, October 15, and October 22, all in the year 1959.

W. H. GOLSON.

Sworn to and subscribed before me October 22, 1959.

ELAINE HOLLEY,
Notary Public.

By Mr. Farmer:

S. 439. To further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures and facilities for use by or in the Office of Circuit Judge, Circuit Solicitor or in the Court room of each county in said Circuit.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

PROOF OF PUBLICATION

AN ACT

A bill to be entitled an act to further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures, and facilities for us by or in the office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1: All Solicitors' fees imposed by the Circuit Court and hereafter collected in the Twentieth Judicial Circuit of Alabama, under the provisions of Section 85 of Title 11, Code of Alabama, 1940, as amended, shall be paid into the County Treasury of the County where the fee is imposed to be used and expended as provided in Section Two hereof.

Section 2: The Circuit Solicitor and the Circuit Judge of the Twentieth Judicial Circuit are hereby authorized to requisition expenditures against said fund of the respective Counties composing said Circuit for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in the Court House of each County in said Circuit, and also for supplies, books, fixtures and facilities for use by or in the office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said circuit.

Section 3: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 4: All laws and parts of laws in conflict herewith are hereby repealed.

Section 5: This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA,
HOUSTON COUNTY.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carl W. Goggins who is known to me and who, being by me first duly sworn, deposes and says: That he is Editor-Manager of The Houston Herald, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: September 25, October 2, 9, 16, 1959; in The Houston Herald, which said The Houston Herald has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

CARL W. GOGGINS.

Sworn to and subscribed before me on this 21st day of October, 1959.

JAMES L. ACREE,
Notary Public.

(Commission expires 11-3-61)

PROOF OF PUBLICATION

A BILL
TO BE ENTITLED
AN ACT

A bill entitled an act to further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures and facilities for use by or in the Office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1: All Solicitor's fees imposed by the Circuit Court and hereafter collected in the Twentieth Judicial Circuit of Alabama, under the provisions of Section 85 of Title 11, Code of Alabama, 1940, as amended, shall be paid into the County Treasury of the County where the fee is imposed to be used and expended as provided in Section Two hereof.

Section 2: The Circuit Solicitor and the Circuit Judge of the Twentieth Judicial Circuit are hereby authorized to requisition expenditures against said fund of the respective Counties composing said Circuit for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in

the Court House of each County in said Circuit; and also for supplies, books, fixtures and facilities for use by or in the office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said circuit.

Section 3: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 4: All laws and parts of laws in conflict herewith are hereby repealed.

Section 5: This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
HENRY COUNTY.

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Edward Dodd, who is known to me and who, being by me first duly sworn, deposes and says: That he is the Publisher of The Abbeville Herald, a newspaper published at Abbeville, in Henry County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: Sept. 24, Oct. 1-8-15, 1959, in The Abbeville Herald, which said The Abbeville Herald has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. EDWARD DODD

Sworn to and subscribed before me on this 21st day of October, 1959.

FORREST L. ADAMS
Notary Public

By Mr. Crawford:
S. 440. To provide for the establishment and operation of a public clinic in the municipality of Uniontown, Perry County.

Committee on Local Legislation

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To whom it may concern:

Notice is hereby given in accordance with Section 106 of the Constitution that a bill for a local law, in substance as follows, will be introduced at the current session of the Legislature of Alabama, and application will be made for its enactment, to-wit:

To provide that the Perry County Hospital Board, a public corporation, and an agency of Perry County, with the approval of the court of county commissioners, board of revenue, or other like governing body of the county, may make expenditures of county

hospital tax revenues for the purpose of constructing and equipping a clinic in Uniontown, such clinic to be leased or otherwise turned over to the Town of Uniontown for operation and maintenance by the town or by its duly authorized agents, representatives, or contractees.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 1, Oct. 8, Oct. 15, and Oct. 22, all in the year 1959.

J. M. WALLACE

Sworn to and subscribed before me 22 day of Oct., 1959.

W. C. MOORE
Notary Public.

By Mr. Crawford:

S. 441. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

Committee on Local Legislation

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
BIBB COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the Town of Brent, Bibb County are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory, to-wit:

Beginning at a pipe monumenting the Southeast corner of the Northeast quarter of Section 34, Township 23 North, Range 9 East, St. Stephens Meridian, Bibb County, State of Alabama, and run thence Westerly with the half section line through said section 34 a distance of 3958 feet, more or less, to the Northeast corner of the Northwest quarter of the Southwest quarter of said section 34; thence run in Southwesterly direction, in a straight line, a distance of 4760 feet more or less, to the Northeast corner of the Northwest quarter of section 4, Township 22 North, Range 9 East, St. Stephens Meridian; thence run in a Southwesterly direction in a straight line a distance of 2905 feet, more or less, to the Southeast corner of the North half of the Northeast qarter of the Southeast quarter of Section 5, Township 22 North, Range 9 East; thence run in a Southerly direction with the East boundary of said section 5, a distance of 1980 feet, more or less, to a steel axle monumenting the Southeast corner of said section 5; thence run in a westerly direction with the South boundary of said section 5 a distance of 3100 feet, more or less, to the center line tangent of State Highway No. 5 as now located, thence run in a Northwesterly direction, in a straight line, a distance of 2100 feet, more or less, to the Northwest corner of the South half of the Northeast quarter of the Southwest quarter of said section 5; thence run in a Northeasterly direction, in a straight line, a distance of 4665 feet, more or less, to a point on the South boundary of section 32, Township 23 North, Range 9 East and 660 feet West of the Southeast corner of said section 32; thence run in a Northeasterly direction, in a straight line, 6230 feet, more or less, to the Southwest corner of the Southeast quarter of section 28, Township 23 North, Range 9 East; thence run in a Northerly direction with the half section line through said section 28 a distance of 2640 feet, more or less, to the center thereof; thence run easterly with the half section line through said section 28 a distance of 1320 feet, more or less, to the Southwest corner of the East half of the Northeast quarter of said section 28; thence in a Northerly direction with the West boundary of the said East half of the Northeast quarter of said section 28, a distance of 2640 feet, more or less, to the Northwest corner thereof; thence run in an Easterly direction with the North boundary of said section 28 a distance of 1320 feet, more or less, to a pipe monumenting the Northeast corner of said section 28; thence run in a Southerly direction with the East boundary of said section 28, a distance of 1320 feet, more or less to the Northwest corner of the South half of the Northwest quarter of section 27 of said Township 23 North, Range 9 East; thence in an Easterly direction with the North boundary of the said South half of the Northwest quarter of said section 27 a distance of 2640 feet, more or less, to the Northeast corner thereof; Thence in a Southerly direction with the East boundary of the said South half of the Northwest quarter of the said section 27 to the Southeast corner thereof; thence run Easterly with the Half section line through said Section 27, a distance of 2640 feet, more or less, to the Southeast corner of the Northeast quarter of said section 27; thence run in a northerly direction with the West boundary of section 26, Township 23 North, Range 9 East, a distance of 458 feet, more or less, to a concrete post monumenting a Southwest corner of lands now owned by Virgis M. Ashworth; thence South 72 degrees and 17 minutes East with the line of the lands of the said Virgis M. Ashworth, a distance of 648.3 feet, more or less, to a concrete post; thence South 19 degrees and 50 minutes East with the line of the land of the said Virgis M. Ashworth, a distance of 290 feet, more or less, to a point in U. S. Highway No. 82 and State Highway No. 5 and on the East-West half section line through said section 26; thence Easterly with the said half section line through

said section 26, a distance of 579.7 feet to a point in the said U, S. Highway No. 82 and State Highway No. 5 and 18.4 feet North of the center line thereof and said point being 3932 feet West from the Southeast corner of the Northeast quarter of said section 26; thence South 00 degrees and 32 minutes West a distance of 1197 feet to a point marked by a steel rod; thence Northwesterly, in a straight line, a distance of 1259 feet, more or less, to a concrete post marking a corner of lands now owned by Jessie Dean Young and Mary Young; thence South approximately one degree West a distance of 1788 feet, more or less, to a pipe marking the Southeast corner of section 27, Township 23 North, Range 9 East and which said pipe is 24.5 feet South of the centerline of the Gulf, Mobile and Ohio Rail Road center line tangent; thence run southerly with the East boundary of section 34, Township 23 North, Range 9 East a distance of 2641.6 feet, more or less, to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times mentioned he was publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 10-1, 10-8, 10-15, and 10-22, all in the year 1959.

J. W. OAKLEY, SR.

Sworn to and subscribed before me October 22, 1959.

MARVIN HUETT
Notary Public

By Mr. Kendall:

S. 442. To provide for special meetings of the boards of education of all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census.

Committee on Local Legislation

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the Unfinished Business of the Morning Session, which was the Bill:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

The question was on the substitute, as amended, offered by Mr. Webb, for the Bill and pending Committee amendment.

Mr. Webb offered the following amendment to the substitute, as amended, for the Bill, to-wit:

In subsection (6) of Section 14, on page 9, strike out the sentence, "No further or other charges shall be directly or indirectly contracted for or received by any licensee except those specifically authorized by this Act" and insert "No further or other charges shall be directly or indirectly contracted for or received by any licensee, including insurance premiums of any kind, except those specifically authorized by this Act."

Which was adopted.

Mr. Webb then offered the following amendment to the substitute, as amended, for the Bill, H. B. 102, and pending Committee, to-wit:

In subsection (7) of Section 14, on page 9, strike out "When a loan contract provides for monthly installments, the first installment may be payable at any time within forty-five (45) days of the date of the loan and the charges for the number of days in excess of thirty (30) from the date of making may be added to the scheduled amount of said installment."

Which was adopted.

And the substitute offered by Mr. Webb, as thus amended, for the Bill, H. B. 102, and pending Committee amendment, was then adopted.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Eddins	Green	Shelton	
Andrews	Farmer	Kendall	Turner	
Barnett	Givhan	Leonard	Webb	
Caffey	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Wyatt	
				—19

Nays:

Messrs.:	deGraffenried	Hines	Rutledge	
Archer	Dumas	Jones	Samford	
Berryman	Haltom	Robison	Word	
Cooper				—12

RECESS

At 2:07 P. M., on motion of Mr. Kendall, the Senate took a recess until 2:37 P. M.

Yeas 17; Nays 14.

Yeas:

Messrs.:	Givhan	Leonard	Turner	
Barnett	Golson	Porter	Webb	
Caffey	Graham	Roberts	Wilson	
Crawford	Green	Shelton	Wyatt	
Farmer	Kendall			—17

Nays:

Messrs.:	Cooper	Haltom	Rutledge	
Andrews	deGraffenried	Hines	Samford	
Archer	Dumas	Jones	Word	
Berryman	Eddins	Robison		—14

The Recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell.

ROLL CALL

Present:

Messrs.:	deGraffenried	Haltom	Rutledge	
Andrews	Dumas	Hines	Samford	
Archer	Eddins	Jones	Shelton	
Barnett	Farmer	Kendall	Turner	
Berryman	Givhan	Leonard	Webb	
Caffey	Golson	Porter	Wilson	
Cooper	Graham	Roberts	Word	
Crawford	Green	Robison	Wyatt	

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FURTHER CONSIDERATION OF H. B. 102

The Senate proceeded to further consideration of the Bill:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Mr. Robison offered the following amendment to the susbtitute, as amended, for the Bill, H. B. 102, to-wit:

1. Amend the caption thereof so that the words "two hundred dollars" therein appearing shall read in words "five hundred dollars."

2. Amend the words and figures "two hundred dollars ($200)" wherever the same appear in each of the following sections so that, as amended, the same will in each such section read in words and figures "five hundred dollars ($500)":

(a) Section 1, subsection 6

(b) Section 3(a)

(c) Section 9(b)

(d) Section 12(a)

(e) Section 13(c)

(f) Section 16½

Amend Section 14 of the substitute, as amended, to House Bill No. 102 so that the same will read in words and figures as follows:

Section 14 (a) MAXIMUM RATE OF CHARGE. Every licensee hereunder may contract for and receive, on any cash advance (amount

of the cash, or its equivalent, that the borrower actually receives or is paid out at his direction or on his behalf) not exceeding five hundred dollars ($500) in amount, charges not in excess of eighteen dollars ($18.00) per year per one hundred dollars ($100) on that part of the cash advance not exceeding one hundred dollars ($100); fourteen dollars ($14) per year per one hundred dollars ($100) on that part of the cash advance to three hundred dollars ($300) and twelve dollars ($12.00) on next two hundred dollars to five hundred dollars ($500), when the cash advance is made for a period of one year, and proportionately at these rates for a greater or lesser amount within said limits or for a greater or lesser period of time, notwithstanding any agreement to repay the loan obligation in installments. Said charges and the cash advance shall be aggregated at the date of the loan for the entire period of the loan and this aggregated amount shall be repayable in installments in the manner provided in subsection (g) of this section. For the purpose of computing charges for a fraction of a month, a day shall be considered one-thirtieth of a month.

(b) CHARGES ON LOANS OF NINETY DOLLARS ($90) OR LESS. On a cash advance of ninety dollars ($90) or less a licensee may charge, in lieu of charges specified in subsection (a) of this section, not in excess of one dollar ($1) for each five dollars ($5) of cash advanced to the borrower, up to the amount of ninety dollars ($90); and a period of at least fifteen (15) days must be allowed for the repayment of each five dollars ($5) of the cash advanced, such charges cannot be assessed by any subterfuge or device on any loan over ninety dollars ($90) or on any balance of ninety dollars ($90) or less when the original cash advance was greater than ninety dollars ($90).

(c) REFUND. When any loan contract is paid in full by cash, a new loan, renewal or otherwise, one month or more before the final installment date, the licensee shall refund or credit the borrower with that portion of the total charges which shall be due the borrower as determined by schedules prepared under the rule of 78ths or sum of the digits principle as follows: The amount of the refund or credit shall be as great a proportion of the total charges originally contracted for as the sum of the periodic time balances of the contract scheduled to follow the date of prepayment bears to the sum of all the periodic time balances of the contract, both sums to be determined according to the payment schedule originally contracted for. No refund shall be required for any partial prepayment and no refund of less than one dollar ($1) need be made.

(d) DEFAULT OR EXTENSION CHARGES. If the contract so provides, the additional charge for any installment past due five (5) or more days, whether by reason of default or extension agreement, may be five per cent (5%) of the installment past due and said amount may be charged once and no more.

(e) RECORDING FEES. The licensee may collect from the borrower the actual fees paid a public official, or agency of the State, for filing, recording or releasing any instrument securing the loan.

(f) NO FURTHER CHARGES. In addition to the charges herein provided for, no further or other amount whatsoever shall be directly or indirectly charged, contracted for, or received. If any amount in excess of the charges permitted by this Act is charged, contracted for, or received, except as the result of an accidental and bona fide error of computation, the contract of the loan shall be void, and the licensee shall have no right to collect, receive, or retain any principal, charges,

or recompense whatsoever; and the licensee and the several members, officers, directors, agents, and employees thereof who shall have participated in such violation, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500) and not less than one hundred dollars ($100) or by imprisonment of not more than six months, or by both such fine and imprisonment, in the discretion of the court. Any borrower may recover the full amount of principal and interest paid by him on any contract made in violation of this section, together with a reasonable attorney fee, by action at law or in equity brought within twelve months from the date of the last payment of principal or interest on such contract.

(g) INSTALLMENT PAYMENT, CONTRACT PERIOD. No licensee shall enter into any contract of loan under this Act in which the borrower agrees to make any scheduled repayment of the cash advance and charges more than twenty-five (25) calendar months from the date of making such contract of loan. Every loan contract shall require payment of the cash advance and charges in installments which shall be payable at approximately equal periodic intervals except that payment dates may be omitted to accommodate borrowers with seasonable incomes. No installment contracted for shall be substantially larger than any preceding installment.

On motion of Mr. Webb, said amendment was laid on the table.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Farmer	Kendall	Turner	
Andrews	Givhan	Leonard	Webb	
Barnett	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Wyatt	
Eddins	Green	Shelton		—18

Nays:

Messrs.:	Cooper	Hines	Rutledge	
Archer	deGraffenried	Jones	Samford	
Berryman	Dumas	Robison	Word	
Caffey	Haltom			—13

Mr. Dumas offered the following amendment to the substitute, as amended, for the Bill, H. B. 102, to-wit:

Amend Section 14 (2-A) of said substitute by deleting said Section (2-A).

On motion of Mr. Turner, said amendment was laid on the table.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Farmer	Kendall	Turner	
Andrews	Givhan	Leonard	Webb	
Barnett	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Wyatt	
Eddins	Green	Shelton		—18

Nays:

Messrs.:	Cooper	Hines	Rutledge	
Archer	deGraffenried	Jones	Samford	
Berryman	Dumas	Robison	Word	
Caffey	Haltom			—13

Mr. deGraffenried offered the following amendment to the substitute, as amended, for the Bill, H. B. 102, to-wit:

Amend the substitute, as amended, for House Bill 102 by striking out in Section 14 (2-A) the words and figures "fifteen (15) days" wherever they appear therein and by inserting in lieu thereof the words and figures ((forty-five (45) days".

On motion of Mr. Turner, said amendment was laid on the table.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Farmer	Kendall	Turner	
Andrews	Givhan	Leonard	Webb	
Barnett	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Wyatt	
Eddins	Green	Shelton		—18

Nays:

Messrs.:	Cooper	Hines	Rutledge	
Archer	deGraffenried	Jones	Samford	
Berryman	Dumas	Robison	Word	
Caffey	Haltom			—13

Mr. Dumas offered the following amendment to the substitute, as amended, for the Bill, H. B. 102, to-wit:

The Substitute as amended for House Bill No. 102 is hereby amended as follows:

1. Amend the caption thereof so that the words "two hundred dollars" therein appearing shall read in words "five hundred dollars".

2. Amend the words and figures "two hundred dollars ($200)" where the same appear in each of the following sections so that, as amended, the same will in each such section read in words and figures "four hundred dollars ($400)":

(a) Section 1, subsection 6

(b) Section 3(a)

(c) Section 9(b)

(d) Section 12(a)

(e) Section 16

(f) Section 17

3. Strike out Section 14 and insert in lieu thereof the following:

Section 14 (a) MAXIMUM RATE OF CHARGE. Every licensee hereunder may contract for and receive, on any cash advance (amount of the cash, or its equivalent, that the borrower actually receives or is paid out at his direction or on his behalf) not exceeding four hundred dollars ($400) in amount, charges not in excess of eighteen dollars ($18) per year per one hundred dollars ($100) on that part of the cash advance not exceeding one hundred dollars ($100); sixteen dollars ($16) per year per one hundred dollars ($100) on that part of the cash advance exceeding one hundred dollars ($100) but not exceeding three

hundred dollars ($300), and twelve dollars ($12) per year per one hundred dollars ($100) on that part of the cash advance exceeding three hundred dollars ($300) but not exceeding four hundred dollars ($400) when the loan is made for a period of one year, and proportionately at these rates for a greater or lesser amount within said limits or for a greater or lesser period of time, notwithstanding any agreement to repay the loan obligation in installments. Said charges and the cash advance shall be aggregated at the date of the loan for the entire period of the loan and this aggregated amount shall be repayable in installments in the manner provided in subsection (g) of this section. For the purpose of computing charges for a fraction of a month, a day shall be considered one-thirtieth of a month.

(b) CHARGES ON LOANS OF FIFTY DOLLARS ($50) OR LESS. On a cash advance of fity dollars ($50) or less a licensee may charge, in lieu of charges specified in subsection (a) of this section, not in excess of one dollar ($1) for each five dollars ($5) of cash advanced to the borrower, up to the amount of fifty dollars ($50); and a period of at least fifteen (15) days must be allowed for the repayment of each five dollars ($5) of the cash advanced, such charges cannot be assessed by any subterfuge or device on any loan over fifty dollars ($50) or on any balance of fifty dollars ($50) or less when the original cash advance was greater than fifty dollars ($50).

(c) REFUND. When any loan contract is paid in full by cash, a new loan, renewal or otherwise, one month or more before the final installment date, the licensee shall refund or credit the borrower with that portion of the total charges which shall be due the borrower as determined by schedules prepared under the rule of 78ths or sum of the digits principle as follows: The amount of the refund or credit shall be as great a proportion of the total charges originally contracted for as the sum of the periodic time balances of the contract scheduled to follow the date of prepayment bears to the sum of all the periodic time balances of the contract, both sums to be determined according to the payment schedule originally contracted for. No refund shall be required for any partial prepayment and no refund of less than one dollar ($1) need be made.

(d) DEFAULT OR EXTENSION CHARGES. If the contract so provides, the additional charge for any installment past due ten (10) or more days, whether by reason of default or extension agreement, may be five per cent (5%) of the installment past due and said amount may be charged once and no more.

(e) RECORDING FEES. The licensee may collect from the borrower the actual fees paid a public official, or agency of the State, for filing, recording or releasing any instrument securing the loan.

(f) NO FURTHER CHARGES. In addition to the charges herein provided for, no further or other amount whatsoever shall be directly or indirectly charged, contracted for, or received. If any amount in excess of the charges permitted by this Act is charged, contracted for, or received, except as the result of an accidental and bona fide error of computation, the contract of the loan shall be void, and the licensee shall have no right to collect, receive, or retain any principal, charges, or recompense whatsoever; and the licensee and the several members, officers, directors, agents, and employees thereof who shall have participated in such violation, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500) and not less than one hundred dollars ($100) or by imprisonment of not more than six months, or by both such fine and imprisonment, in the discretion of the court. Any borrower

may recover the full amount of principal and interest paid by him on any contract made in violation of this section, together with a reasonable attorney fee, by action at law or in equity brought within twelve months from the date of the last payment of principal or interest on such contract.

(g) INSTALLMENT PAYMENT, CONTRACT PERIOD. No licensee shall enter into any contract of loan under this Act in which the borrower agrees to make any scheduled repayment of the cash advance and charges more than twenty-five (25) calendar months from the date of making such contract of loan. Every loan contract shall require payment of the cash advance and charges in installments which shall be payable at approximately equal periodic intervals except that payment dates may be omitted to accommodate borrowers with seasonable incomes. No installment contracted for shall be substantially larger than any preceding installment. When a loan contract provides for monthly installments, the first installment may be payable at any time within forty-five (45) days of the date of the loan and the charges for the number of days in excess of thirty (30) from the date of making may be added to the scheduled amount of said installment.

On motion of Mr. Shelton, said amendment was laid on the table.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Farmer	Kendall	Turner	
Andrews	Givhan	Leonard	Webb	
Barnett	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Wyatt	
Eddins	Green	Shelton		—18

Nays:

Messrs.:	Cooper	Hines	Rutledge	
Archer	deGraffenried	Jones	Samford	
Berryman	Dumas	Robison	Word	
Caffey	Haltom			—13

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Eddins	Green	Shelton	
Andrews	Farmer	Kendall	Turner	
Barnett	Givhan	Leonard	Webb	
Caffey	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Wyatt	
				—19

Nays:

Messrs.:	deGraffenried	Hines	Rutledge	
Archer	Dumas	Jones	Samford	
Berryman	Haltom	Robison	Word	
Cooper				—12

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirtieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Thirtieth Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:57 P.M., on motion of Mr. Haltom, the Senate adjourned until Tuesday, October 27, 1959, at 12 o'clock Noon.

THIRTY-FIRST LEGISLATIVE DAY

TUESDAY, OCTOBER 27, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Mr. Maurice Willis, Student Department Worker, Alabama State Baptist Headquarters, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Roberts	
Andrews	Eddins	Haltom	Robison	
Archer	Farmer	Hines	Rutledge	
Barnett	Gaither	Jones	Shelton	
Caffey	Givhan	Kendall	Turner	
Cooper	Godfrey	Leonard	Webb	
Crawford	Golson	Moses	Wilson	
deGraffenried	Graham	Porter		—30

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING

The Bill:

S. 316. To implement the powers of the Governor as conservator of the peace and to authorize the Governor to close any school, trade school, or institution or any branch or department thereof under the control of the Board of Trustees of the University of

Alabama, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Institute for Deaf and Blind or the State Board of Education; and to provide for the effective date of this Act.

was taken up.

The Standing Committee on Education reported the following substitute for the Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To implement the powers of the Governor as conservator of the peace and to authorize the Governor to close any school, trade school, or institution or any branch or department thereof under the control of the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Institute for Deaf and Blind or the State Board of Education; and to provide for the effective date of this Act.

Be it enacted by the Legislature of Alabama:

Section 1. Whenever the Governor shall determine, from such facts as he may find to exist, the sufficiency of which he shall be the sole judge, that the continued operation of any school, trade school, or institution or any branch or department thereof under the control of the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of Alabama College, the Board of Trustees for the Alabama Institute for Deaf and Blind or the State Board of Education is likely to result in or cause violence or public disorder or endanger life and property in the community in which such school, trade school, or institution or any branch or department thereof is situated, or that it is necessary to preserve the good order, peace and dignity of the State, or any subdivision thereof, that any such school, trade school, or institution or any branch or department thereof, be closed, he shall make public proclamation of such findings, and such school, trade school, or institution or any branch or department thereof, shall thereupon be closed upon service of an official copy of such proclamation upon the person or persons in charge of such school or institution by the sheriff of the county in which such school or institution is located.

Section 2. After the issuance of such a proclamation by the Governor under Section 1 hereof, it shall be unlawful for said Boards of Trustees, State Board of Education, the members thereof, any public officer or official or any person occupying a position of public employment as a school teacher or otherwise, to participate in the operation of any such school, trade school, or institution or any branch or department thereof, as a public school, trade school, or institution or any branch or department thereof; and the expenditure of public funds of the State for the operation of any such school, trade school, or institution or any branch or department thereof, shall also be unlawful.

Section 3. A determination by the Governor to close a school, trade school, or institution or any branch or department thereof, made in accordance with the provisions of this Act shall be final and not subject to review by any court or other authority.

Section 4. Whenever any school, trade school, or institution or any branch or department thereof, is closed pursuant to this Act, the Board under whose jurisdiction said school, trade school, or institution or any branch or department thereof, lies, shall take the necessary action to protect all public property of such school, trade school, or institution or branch or department thereof, so closed.

Section 5. Any person who shall violate any provision of this Act, and any person who shall continue to operate, or who shall attempt to operate, any school, trade school, or institution or branch or department thereof, closed under this Act or shall attend, or cause anyone else to attend, any such closed school, trade school, or institution or branch or department thereof, or attempt so to do, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than five hundred dollars ($500.00) or imprisoned in the county jail for not more than six (6) months, either or both.

Section 6. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 7. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Mr. Andrews offered the following substitute for the Bill and pending Committee substitute, to-wit:

SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR S. B. 316

A BILL
TO BE ENTITLED
AN ACT

To implement the powers of the Governor as conservator of the peace and to authorize the Governor to close any school, trade school, or institution or any branch or department thereof under the control of the State Board of Education; and to provide for the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever the Governor shall determine, from such facts as he may find to exist, the sufficiency of which he shall be the sole judge, that the continued operation of any school, trade school, or institution or any branch or department thereof under the control of the State Board of Education is likely to result in or cause violence or public disorder or endanger life and property in the community in which such school, trade school, or institution or any branch or department thereof is situated, or that it is necessary to preserve the good order, peace and dignity of the State, or any subdivision thereof, that any such school, trade school, or institution or any branch or department thereof, be closed, he as conservator of the peace shall make public proclamation of such findings, and such school, trade school, or institution or any branch or department thereof, shall thereupon be closed upon service of an official copy of such proclamation upon the person or persons in charge of such school or institution by the sheriff of the county in which such school or institution is located.

Section 2. A determination by the Governor to close a school, trade school, or institution or any branch or department thereof, made in accordance with the provisions of this Act shall be final and not subject to review by any court or other authority.

Section 3. Whenever any school, trade school, or institution or any branch or department thereof, is closed pursuant to this Act, the board under whose jurisdiction said school, trade school, or institution or any branch or department thereof, lies, shall take the necessary action to protect all public property of such school, trade school, or institution or branch or department thereof, so closed. Such board may reopen such school, trade school or institution or branch or department at its discretion.

Section 4. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 5. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

REPORTS OF COMMITTEES

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Grouby (with notice and proof):

H. 693. To amend further Section 5 of Act No. 222, H. 317, approved February 27, 1879 (Acts of Alabama, 1878, p. 248), entitled "An Act To establish a board of revenue for Autauga county, and to define the powers and duties of said board of revenue," by providing further for the compensation of the chairman and members of the board of revenue.

By Mr. Owens:

H. 777. To provide further for enforcement of highway traffic control laws and rules of the road by deputy sheriffs in counties having a population of not less than 18,700 nor more than 19,000, according to the most recent federal decennial census.

By Mr. Avery (with notice and proof):

H. 838: To amend Section 2 of an act approved June 3, 1953, establishing a board of revenue for Hale County (Act No. 61, H. 209, Acts of Alabama 1953, Vol. I, p. 89) so as to provide for the election of members of the board of revenue by districts.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hocklander (with amendment):

H. 72. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in

all courts in all counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

By Mr. Hocklander (with amendment):
H. 73. Relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wyatt (with notice and proof):
S. 425. To alter or rearrange the boundary lines of the city of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

By Mr. Farmer (with notice and proof):
S. 439. To further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures and facilities for use by or in the Office of Circuit Judge, Circuit Solicitor or in the Court room of each county in said Circuit.

By Mr. Crawford (with notice and proof):
S. 440. To provide for the establishment and operation of a public clinic in the municipality of Uniontown, Perry County.

By Mr. Crawford (with notice and proof):
S. 441. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

By Mr. Kendall:
S. 442. To provide for special meetings of the boards of education of all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census.

Mr. Rutledge, Vice Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jones (with notice and proof):
S. 428. To alter, rearrange and describe the boundary lines and corporate limits of the City of Alexander City, Tallapoosa County, Alabama.

By Mr. Haltom (with notice and proof):
S. 429. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

By Mr. Kendall (with notice and proof):

S. 430. To provide additional compensation or salary for the Official Court Reporter of the 22nd Judicial Circuit and providing for the payment thereof.

By Mr. Robison (with notice and proof):

S. 431. To alter, rearrange and extend the boundaries of the City of Montgomery, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

By Mr. Robison (with notice and proof):

S. 432. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 28, T16N, R18E, Montgomery County, Alabama, and Section 21, T16N, R18E, Montgomery County, Alabama.

By Mr. deGraffenried (with notice and proof):

S. 433. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

By Mr. Caffey (with notice and proof):

S. 434. To require the tax collector of Mobile County to charge and collect the same fees, and to deduct from taxes collected by him the same commissions that are prescribed by the general law as compensation for tax assessors and tax collectors and to pay all such fees and commissions into the county treasury of Mobile County; and to repeal Act No. 241, H. 401 and Act No. 242, H. 473 of 1935 (Local Acts of Alabama of 1935, pages 139 and 141, respectively) and Section 1 of Act No. 191, H. 634 of 1955 (Acts of Alabama of 1955, page 476).

By Mr. Jones (with notice and proof):

S. 435. Relating to Tallapoosa County; abolishing the County Court of Tallapoosa County, and establishing in lieu thereof a court of record to be known as the "Court of Common Pleas of Tallapoosa County;" defining the courts's jurisdiction and powers; providing for its officers, and their powers, duties, and compensation; providing for the holding of the terms and sessions of the court; providing for the rules and procedure of the court; and providing for the transfer of all cases pending in the County Court of Tallapoosa County, the juvenile court, and all cases of desertion and non-support to the Court of Common Pleas of Tallapoosa County.

By Mr. Jones (with notice and proof):

S. 436. Relating to Tallapoosa County: To impose extra, new and additional duties upon members of the Court of County Commissioners and to provide additional compensation for the performance of such duties.

By Mr. Robison:

S. 437. To authorize the governing body of any municipality in the State of Alabama having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use of facilities under its jurisdiction and control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipality and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the

board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes.

By Mr. Rogers (with notice and proof):
H. 605. Relating to Macon County; regulating further the practice of cosmetology in Macon County.

By Messrs. Hocklander, Murphy and Trimmier:
H. 226. To amend further Section 187 of Title 13, Code of Alabama 1940, in relation to the compensation of bailiffs of the circuit court in circuits composed of one county and having three or more circuit judges, but less than eight.

Mr. Jones, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Franklin et al:
H. 190. To propose an amendment to the Constitution forbidding enactment of a law placing responsibility for construction and maintenance of county roads in the State Highway Department or other state agency unless authorized by a vote of the qualified electors of the county.

The above Bill was read a second time at length as required by the Constitution.

BILLS ON THIRD READING RESUMED

The Bill:

H. 805. To levy in Walker County a county license tax, in addition to all other taxes or licenses now required by law, on each package of cirgarettes sold, stored, or received, for the purpose of distribution to any person, firm, corporation, club, or association within the county; to provide for the payment of the tax by the purchase and sale of stamps to be affixed to each package of cigarettes sold or distributed in such county; to provide for the ascertainment, collection, payment, distribution, and use of such license tax and for the enforcement of this Act; and to prescribe penalties and fix the punishment for violations of the Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Moses
Andrews	Dumas	Green	Roberts
Archer	Farmer	Haltom	Rutledge
Barnett	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Webb
Cooper	Golson	Leonard	Wilson
Crawford			

—24

Nays: —0

The Bill:

H. 806. To make an annual appropriation from the general fund of Walker County to support the Peoples' Hospital of Walker County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Moses
Andrews	Dumas	Green	Roberts
Archer	Farmer	Haltom	Rutledge
Barnett	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Webb
Cooper	Golson	Leonard	Wilson
Crawford			—24

Nays: —0

The Bill:

S. 409. To provide for returning to the court of county commissioners, board of revenue or other like governing body of Cherokee County, jurisdiction, supervision, and control over the establishment, construction, reconstruction, maintenance, and repair of county roads and bridges; repealing Act No. 261, H. 808, approved August 23, 1955, providing for the construction, maintenance, and repair of the roads and bridges of Cherokee County by the state highway department (Acts 1955, Vol. I, pp. 606-609).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Robison
Archer	Farmer	Jones	Rutledge
Barnett	Gaither	Kendall	Shelton
Caffey	Godfrey	Moses	Turner
Cooper	Graham	Porter	Webb
Crawford	Green	Roberts	Wilson
deGraffenried			—24

Nays: —0

The Bill:

H. 814. To alter, extend and rearrange the boundary line and corporate limits of the Town of Glen Allen in Marion and Fayette Counties, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Roberts
Andrews	Dumas	Haltom	Rutledge
Archer	Eddins	Hines	Shelton
Barnett	Farmer	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Cooper	Godfrey	Moses	Wilson
Crawford			—24

Nays: —0

The Bill:

H. 642. Relating to and providing for the reidentification of electors in Choctaw County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison
Andrews	Eddins	Haltom	Rutledge
Barnett	Givhan	Hines	Shelton
Caffey	Godfrey	Jones	Turner
Cooper	Golson	Leonard	Webb
Crawford	Graham	Porter	Wilson
deGraffenried			

—24

Nays: —0

The Bill:

S. 371. To establish for Chilton County Alabama a Law and Equity Court; to define its jurisdiction and power; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide for a Court Reporter for said Court and to fix and prescribe his duties, compensation and to provide for the payment of his salary; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedures of said Court; to provide a fine and forfeiture fund of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Chilton County, Alabama; and to give said Court Juvenile and Domestic Relations jurisdiction; and to abolish the County Court of Chilton County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Eddins	Hines	Rutledge
Archer	Gaither	Jones	Shelton
Barnett	Givhan	Kendall	Turner
Caffey	Godfrey	Porter	Webb
Cooper	Graham	Roberts	Wilson
deGraffenried			

—24

Nays: —0

The Bill:

H. 645. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census and to allow the Boards of Revenue or other like governing body of such counties to fix and set aside, by resolution, certain days of the week for the closing of the offices in the court house of such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Roberts	
Andrews	Farmer	Haltom	Rutledge	
Archer	Gaither	Jones	Shelton	
Barnett	Godfrey	Kendall	Turner	
Caffey	Golson	Moses	Webb	
Cooper	Graham	Porter	Wilson	
deGraffenried				—24

Nays: —0

The Bill:

H. 706. Proposing an amendment to the Constitution of Alabama relating to the industrial development of Franklin County and the municipalities therein.

was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Golson	Robison	
Andrews	Eddins	Hines	Rutledge	
Archer	Farmer	Jones	Shelton	
Barnett	Gaither	Kendall	Turner	
Caffey	Givhan	Moses	Webb	
Cooper	Godfrey	Roberts	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 791. To fix the compensation of the clerk of the Inferior Civil Court of Mobile County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Porter	
Archer	Farmer	Haltom	Roberts	
Barnett	Givhan	Hines	Rutledge	
Caffey	Godfrey	Jones	Shelton	
Cooper	Golson	Kendall	Turner	
Crawford	Graham	Moses	Wilson	
deGraffenried				—24

Nays: —0

The Bill:

S. 404. To amend Section 1 of Act No. 486, H. 765, approved July 9, 1943, an act providing for the appointment of a board of trustees to acquire, maintain, and protect certain properties and objects of histori-

cal interest located at the first permanent seat of government of the State of Alabama at Cahaba in Dallas County, (General Acts 1943, p. 449), so as to provide for the appointment of two additional members of the board of trustees of the Cahaba Historical Commission.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 26; Nays 0.

Yeas:

Messrs.:	Gaither	Hines	Robison	
Archer	Givhan	Jones	Rutledge	
Caffey	Godfrey	Kendall	Shelton	
Crawford	Golson	Leonard	Turner	
deGraffenried	Graham	Moses	Webb	
Eddins	Green	Porter	Wilson	
Farmer	Haltom	Roberts		—26

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Roberts further consideration of the Bill, H.B. 807, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 812. To levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Hines	Robison	
Andrews	Gaither	Jones	Rutledge	
Barnett	Givhan	Kendall	Shelton	
Caffey	Godfrey	Leonard	Turner	
Cooper	Graham	Porter	Webb	
Crawford	Haltom	Roberts	Wilson	
Dumas				—24

Nays: —0

The Bill:

H. 828. To encourage and promote medical and scientific research and the establishment of medical research facilities, and the development of scientific research devices, by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees, charges, and limitations, in all counties having a population of not less

than 125,000 nor more than 225,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Porter	
Andrews	Dumas	Green	Robison	
Archer	Eddins	Haltom	Shelton	
Barnett	Farmer	Hines	Turner	
Caffey	Gaither	Kendall	Webb	
Cooper	Givhan	Moses	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 832. To repeal Act No. 336 of the Regular Session of the Legislature of Alabama of 1951, entitled "An Act Relating to Winston County: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951 (Acts of Alabama, 1951, page 624.)

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Roberts	
Archer	Gaither	Hines	Rutledge	
Barnett	Givhan	Jones	Shelton	
Caffey	Godfrey	Leonard	Turner	
Cooper	Golson	Moses	Webb	
Crawford	Green	Porter	Wilson	
Dumas				—24

Nays: —0

The Bill:

H. 833. To authorize, direct, and require the state department of revenue to collect any sales and use taxes which may be levied in the municipality of Double Springs, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said municipality; to prescribe the power, duties, and authority of the state department of revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Farmer	Golson
Andrews	Crawford	Gaither	Green
Barnett	deGraffenried	Givhan	Haltom
Caffey	Dumas	Godfrey	Jones

Kendall	Roberts	Shelton	Webb	
Leonard	Rutledge	Turner	Wilson	
Porter				—24

Nays: —0

The Bill:

H. 834. To create and establish a single governing body in and for Winston County, to be known as the Board of Revenue of Winston County, Alabama, to be composed of three members, one of whom shall be chairman of said Board; to provide for the selection and election of the chairman and associate members of said Board; to fix their qualifications and term of office; to fix their compensation and prescribe the funds from which it may be paid; to define and prescribe the jurisdiction, power, and authority of said Board of Revenue, its chairman, and its members, and to repeal all laws, local and general, in conflict herewith.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Roberts	
Archer	Farmer	Hines	Rutledge	
Barnett	Givhan	Jones	Shelton	
Caffey	Godfrey	Leonard	Turner	
Cooper	Golson	Moses	Webb	
Crawford	Green	Porter	Wilson	
Dumas				—24

Nays: —0

The Bill:

H. 837. To levy additional county privilege license and excise taxes for public school purposes in Hale County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 86, H. 388, approved June 21, 1957 (Acts 1957, vol. I, pp. 127-130).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Porter	
Andrews	Dumas	Haltom	Robison	
Archer	Farmer	Hines	Rutledge	
Barnett	Gaither	Kendall	Shelton	
Caffey	Givhan	Leonard	Turner	
Cooper	Golson	Moses	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 854. To create in the City of Tuscaloosa, Alabama, a fund to be known as Firemen's and Policemen's Pension and Relief Fund for the benefit and relief of disabled, sick, retired and other members of such fire and police departments and the widows, certain of the minor children and dependent widowed mothers of certain deceased members of the fire and police departments, and to provide for the use, management, control, and administration of such funds; to provide for the raising of such funds and the sources thereof; to provide for the payment into such fund of a proportion of the monthly salary of such members of the fire department and police department of such city as are eligible to partcipate in the benefits of such fund; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies including mutual and industrial fire insurance companies, doing business within such city, and for making a sworn report by such fire insurance companies of such premiums to the Board of Trustees of such fund, and to prescribe the penalty for failure to make such payments and report, and for enforcing such penalty; to provide for sworn statements to be made to the city clerk by all persons, firms, or corporations which conduct a fire insurance agency or brokerage business within such city, and to prescribe the penalty for failure to make and file such statements and for enforcing such penalty; to provide for the payment into such fund certain witness fees and certain rewards and gratuities received by firemen and policemen; to provide for the payment into such fund of all liquor seizure fees and all amounts received by the City from the Alcohol Beverage Control Board for confiscated liquors; to authorize the Board of Trustees to accept money and property for said funds; to authorize the governing body of such city to makes appropriations to such fund out of the city treasury; to create in such city a Board of Trustees of such Firemen's and Policemen's Pension and Relief Fund; to provide for the transfer of all monies, securities, property, assets, and things of value in any Firemen's and Policemen's Fund in the City heretofore created to the jurisdiction and control of the Board of Trustees created under this Act; to provide for the organization of such Board of Trustees and to designate certain members of said Board and provide the time and method of electing the remaining members thereof and their term of office; to designate and provide for the selection of officers and agents of said Board; to declare the said Board of Trustees the trustees of such fund; to prescribe the powers, authority and duties of such Board of Trustees, its officers and agents; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department and police department and the widows, certain minor children, and dependent widowed mothers of certain deceased members thereof; to provide for the retirement and reinstatement of members of such fire and police departments; to prescribe the duties of the city attorney and city physician in connection with said Board of Trustees and said funds; to provide for medical examination and diagnosis of the physical and mental condition of such members of fire and police departments; to provide that no person shall have any vested or contractual rights in said fund, but that such fund shall be held subject to the power of the Legislature; to designate the treasurer of such fund and his duties; to provide that said fund and all benefits received therefrom shall be exempt from levy, execution, garnishment, attachment or seizure of any kind.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Haltom	Robison
Andrews	Gaither	Hines	Rutledge
Barnett	Godfrey	Jones	Shelton
Caffey	Golson	Leonard	Turner
Cooper	Graham	Moses	Webb
deGraffenried	Green	Porter	Wilson
Eddins			

—24

Nays: —0

The Bill:

H. 859. To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County, annexing certain territory to said municipality.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison
Andrews	Farmer	Haltom	Rutledge
Archer	Gaither	Jones	Shelton
Barnett	Givhan	Leonard	Turner
Caffey	Godfrey	Moses	Webb
Crawford	Golson	Roberts	Wilson
deGraffenried			

—24

Nays: —0

The Bill:

S. 412. To provide for the education or training of deputies sheriff or the sheriff in Houston County, Alabama at the Alabama Police Academy or to similar schools of training and for payment of expenses incident thereto.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Robison
Andrews	Farmer	Jones	Rutledge
Archer	Givhan	Kendall	Shelton
Barnett	Godfrey	Moses	Turner
Caffey	Graham	Porter	Webb
Cooper	Haltom	Roberts	Wilson
Crawford			

—24

Nays: —0

The Bill:

S. 418. To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts, 1949, Page 536, entitled: "To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension

of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts	
Andrews	Eddins	Haltom	Robison	
Archer	Gaither	Hines	Rutledge	
Barnett	Givhan	Kendall	Shelton	
Caffey	Golson	Leonard	Turner	
Cooper	Graham	Moses	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 822. To apply in and only in counties in Alabama have a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census, and to empower and authorize the County Commission, board of revenue, or like governing body of all such counties to authorize and approve a monetary allowance not to exceed the sum of Six Hundred Dollars annually, payable in monthly installments, to be made to the Judge of Probate in such county for and on account of the use of an automobile owned or controlled by such Judge of Probate in the event such automobile is used by such Judge of Probate partially or entirely in connection with the performance of his official duties as such Judge of Probate, which sum shall include any other expenses incurred by such Judge of Probate in travelling in his official duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Robison	
Andrews	Farmer	Jones	Rutledge	
Archer	Gaither	Kendall	Shelton	
Barnett	Givhan	Moses	Turner	
Caffey	Graham	Porter	Webb	
Cooper	Green	Roberts	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 721. To amend further Section 30½ of the act approved September 20, 1957, regulating the practice of cosmetology (Act No. 653, H. 489, Acts 1957, Vol. II, p. 981).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Moses	
Andrews	Eddins	Green	Robison	
Archer	Farmer	Haltom	Shelton	
Barnett	Givhan	Hines	Turner	
Caffey	Godfrey	Kendall	Webb	
Cooper	Golson	Leonard	Wilson	
Crawford				—24

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Dumas, further consideration of the Bill, H.B. 861, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 75. To amend Section 77 of Title 38 of the Code of Alabama of 1940, as amended, which relates to the pay of pilots.

was taken up.

The Standing Committee on Seaports reported the following substitute for the Bill to-wit:

SUBSTITUTE FOR HOUSE BILL 75

A BILL
TO BE ENTITLED
AN ACT

To amend Section 77 of Title 38 of the Code of Alabama of 1940, as amended, which relates to the pay of pilots.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 77 of Title 38 of the Code of Alabama of 1940, as amended, be and the same is hereby amended so as to read as follows:

"Section 77. Pay of Pilots. The Master, owner or consignee of any ship or vessel must pay the pilot who conducts a vessel into or out of the bay or harbor of Mobile a fee to be fixed by the board of pilotage commission at not exceeding the following rates, for actual draft of water at the time of pilotage: For every vessel crossing the outer bar of Mobile Bay drawing not more than nineteen feet eleven inches of water the sum of six dollars and fifty cents per foot; for every vessel drawing twenty feet or more of water the sum of seven dollars per foot, provided however, the minimum pilot fee shall be computed on a minimum draft of eight feet regardless whether or not such vessel has a draft of less than eight feet at the time of pilotage. But vessels trading between any domestic port on the Gulf of Mexico and the port of Mobile, drawing seven feet or less of water, shall not be required to employ a pilot, but if they do, their regular pilotage shall be paid. No fishing smack shall be subject to pilotage."

Section 2. That all laws and parts of laws in conflict herewith are hereby repealed.

Section 3. That this Act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts
Andrews	Dumas	Haltom	Robison
Archer	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Cooper	Golson	Moses	Wilson
Crawford			—24

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Roberts
Andrews	Eddins	Hines	Rutledge
Archer	Gaither	Kendall	Shelton
Barnett	Givhan	Leonard	Turner
Caffey	Golson	Moses	Webb
Cooper	Graham	Porter	Wilson
Crawford			—24

Nays: —0

The Bill:

H. 77. To amend Section 81 of Title 38, Code of Alabama 1940, in relation to the pay of bar pilots.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison
Archer	Farmer	Hines	Rutledge
Barnett	Givhan	Jones	Shelton
Caffey	Godfrey	Leonard	Turner
Cooper	Golson	Moses	Webb
Crawford	Green	Porter	Wilson
deGraffenried			—24

Nays: —0

The Bill:

H. 851. To provide for the relief of W. E. Sikes, of Roanoke, by Randolph County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Roberts
Andrews	Eddins	Green	Rutledge
Archer	Farmer	Hines	Shelton
Caffey	Gaither	Kendall	Turner
Cooper	Godfrey	Moses	Webb
Crawford	Golson	Porter	Wilson
deGraffenried			

—24

Nays: —0

The Bill:

H. 475. To amend Section 1 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts
Andrews	Eddins	Haltom	Robison
Barnett	Farmer	Hines	Rutledge
Caffey	Gaither	Jones	Shelton
Cooper	Givhan	Leonard	Turner
Crawford	Godfrey	Moses	Webb
deGraffenried	Graham	Porter	Wilson

—27

Nays: —0

The Bill:

H. 537. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945, who declined membership in the Employees' Retirement System of Alabama in the manner prescribed in Section 3 of Act 515 approved July 9, 1945, and who retires with a minimum of fifteen years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Control of the Employees' Retirement System under the provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 571 approved September 18, 1957 relating to certain benefits to retired state employees, and to provide the appropriation necessary to carry out the provisions of this act.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Givhan	Haltom
Archer	Dumas	Godfrey	Hines
Barnett	Eddins	Golson	Jones
Cooper	Farmer	Graham	Leonard
Crawford	Gaither	Green	Moses

Porter	Robison	Shelton	Webb	
Roberts	Rutledge	Turner	Wilson	
				—27

Nays: —0

The Bill:

H. 459. To amend further Section 254 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of deputy solicitors of the thirteenth judicial circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Robison	
Archer	Eddins	Kendall	Rutledge	
Barnett	Farmer	Leonard	Shelton	
Caffey	Gaither	Moses	Turner	
Cooper	Godfrey	Porter	Webb	
Crawford	Haltom	Roberts	Wilson	
deGraffenried	Hines			—25

Nays: —0

The Bill:

H. 830. To provide for the appointment, tenure, and compensation of a stenographic secretary for the judge of the county court of Walker County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Roberts	
Andrews	Farmer	Haltom	Rutledge	
Archer	Givhan	Hines	Shelton	
Barnett	Godfrey	Jones	Turner	
Caffey	Golson	Leonard	Webb	
Cooper	Graham	Moses	Wilson	
Crawford				—24

Nays: —0

The Bill:

H. 856. To abolish the office of comptroller of Walker County, and establish in lieu thereof a county depository; and to provide for the performance of certain duties relative to county funds by the county depository and other duties relative thereto by the Board of Finance and Control of Walker County and the President thereof, or any other like governing body of such county and its presiding officer.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Roberts	
Andrews	Eddins	Green	Rutledge	
Archer	Farmer	Hines	Shelton	
Caffey	Gaither	Kendall	Turner	
Cooper	Godfrey	Leonard	Webb	
Crawford	Golson	Moses	Wilson	
deGraffenried				—24

Nays: —0

MOTION TO RECONSIDER

Mr. Dumas moved that the Senate reconsider the vote by which it indefinitely postponed the Bill, H.B. 861, and the Senate did reconsider said vote.

BILL ON THIRD READING

The Bill:

H. 861. To alter and re-arrange the boundary lines of the City of Homewood, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Farmer	Jones	Rutledge	
Archer	Gaither	Kendall	Shelton	
Barnett	Givhan	Moses	Turner	
Caffey	Graham	Porter	Webb	
Cooper	Green	Roberts	Wilson	
Crawford				—24

Nays: —0

RECESS

At 1:20 P.M., on motion of Mr. Turner, pending further consideration of S.B. 316, the Senate took a Recess until 3 o'clock this afternoon.

Yeas 14; Nays 11.

Yeas:

Messrs.:	Gaither	Kendall	Turner	
Barnett	Green	Leonard	Webb	
Crawford	Haltom	Porter	Wilson	
Eddins	Hines	Shelton		—14

Nays:

Messrs.:	Cooper	Givhan	Jones	
Archer	deGraffenried	Godfrey	Moses	
Caffey	Dumas	Graham	Robison	
				—11

AFTERNOON SESSION

THIRTY-FIRST LEGISLATIVE DAY

TUESDAY, OCTOBER 27, 1959

The Senate reassembled at 3 o'clock P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Roberts	
Andrews	Eddins	Haltom	Robison	
Archer	Farmer	Hines	Rutledge	
Barnett	Gaither	Jones	Shelton	
Caffey	Givhan	Kendall	Turner	
Cooper	Godfrey	Leonard	Webb	
Crawford	Golson	Moses	Wilson	
deGraffenried	Graham	Porter		—30

LEAVES OF ABSENCE

On motion of Mr. Leonard, leave of absence was granted Mr. Wyatt for today.

On motion of Mr. Godfrey, leave of absence was granted Mr. Word for today.

On motion of Mr. Hines, leave of absence was granted Mr. Samford for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Rutledge:

S. 443. To authorize the sheriff of Blount County to appoint an additional deputy whose compensation shall be paid by the county.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To authorize the sheriff of Blount County to appoint an additional deputy whose compensation shall be paid by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Blount County may appoint a deputy, in addition to all other deputies heretofore provided for by law, whose

compensation shall be paid by the county. The additional deputy provided for in this Act shall have all the authority provided by law for other deputy sheriffs, shall perform such duties as the sheriff may prescribe, and shall be entitled to a salary of two hundred twenty-five dollars ($225) a month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the SOUTHERN DEMOCRAT, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, 9, and 16, all in the year 1959.

RICE M. HOWARD.

Sworn to and subscribed before me July 16, 1959.

MOLLY RYAN,
Notary Public.

By Mr. Rutledge:

S. 444. To amend Act No. 111, H. 417, approved June 3, 1943 (Local Acts, 1943, p. 65), entitled "An Act To allow the Sheriff of Blount County, Alabama an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Blount County in monthly installments."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Act No. 111, H. 417, approved June 3, 1943 (Local Acts, 1943, p. 65), entitled "An Act To allow the Sheriff of Blount County, Alabama an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Blount County in monthly installments."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 111, H. 417, approved June 3, 1943 (Local Acts, 1943, p. 65), entitled "An Act To allow the Sheriff of Blount County, Alabama an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Blount County in monthly installments," is amended to read as follows:

"Section 1. The sheriff of Blount County is hereby allowed an additional deputy to the deputy or deputies now provided by law, which deputy shall receive a salary of two thousand seven hundred dollars ($2,700) a year, to be paid in twelve equal monthly installments out of the general funds of the county. The deputy provided for by this Act shall be eligible to perform the duties of deputy sheriff anywhere in Blount County."

Section 2. This Act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, 9, and 16, all in the year 1959.

RICE M. HOWARD.

Sworn to and subscribed before me July 16, 1959.

MOLLY RYAN,
Notary Public.

By Mr. Rutledge:

S. 445. To amend further Act No. 350, H. 943, approved September 6, 1935 (Local Acts, 1935, p. 213), entitled "An Act To allow the Sheriff of Blount County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Blount County in monthly installments."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend further Act No. 350, H. 943, approved September 6, 1935 (Local Acts, 1935, p. 213), entitled "An Act To allow the Sheriff of Blount County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Blount County in monthly installments."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 350, H. 943, approved September 6, 1935 (Local Acts, 1935, p. 213), entitled "An Act To allow the Sheriff of Blount County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Blount County in monthly installments," as amended, is amended further to read as follows:

"Section 1. The sheriff of Blount County is hereby allowed an additional deputy to the deputy or deputies now provided by law, which deputy shall receive a salary of two thousand seven hundred dollars ($2,700) a year, to be paid in twelve equal monthly installments out of the general funds of Blount County. The deputy sheriff provided for by this Act shall be eligible to perform the duties of deputy sheriff anywhere within the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, 9, and 16, all in the year 1959.

RICE M. HOWARD.

Sworn to and subscribed before me July 16, 1959.

MOLLY RYAN,
Notary Public.

By Mr. Rutledge:

S. 446. To amend further Act No. 110, H. 416, approved June 3, 1943 (Local Acts, 1943, p. 65), entitled "An Act To prescribe the salary and the manner of payment of the same, of the Jailer of Blount County, Alabama."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend further Act No. 110, H. 416, approved June 3, 1943 (Local Acts, 1943, p. 65), entitled "An Act to prescribe the salary and the manner of payment of the same, of the Jailer of Blount County, Alabama."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 110, H. 416, approved June 3, 1943 (Local Acts, 1943, p. 65), entitled "An Act To prescribe the salary and the manner of payment of the same, of the Jailer of Blount County, Alabama," as amended, is amended further to read as follows:

"Section 1. The salary of the jailer of Blount County shall be two thousand one hundred dollars ($2,100) a year, to be paid in equal monthly installments from the general fund of the county, upon the warrant of the court of county commissioners, board of revenue or like governing body of Blount County."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, 9, and 16, all in the year 1959.

RICE M. HOWARD.

Sworn to and subscribed before me July 16, 1959.

MOLLY RYAN,
Notary Public.

By Mr. Rutledge:
S. 447. To provide a salary for the Coroner of Blount County, and to describe the manner of payment thereof: and making this Act effective upon approval of the voters of the county voting at a referendum.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF

A BILL
TO BE ENTITLED
AN ACT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage will be made, to wit:

To provide a salary for the Coroner of Blount County, and to describe the manner of payment thereof: and making this Act effective upon approval of the voters of the county voting at a referendum.

Be It Enacted by the Legislature of Alabama:

Sec. 1. The coroner of Blount County shall be entitled to receive a salary of one hundred dollars ($100.00) a month payable out of the general fund in the County treasury in the same manner as the salary of county employees are paid.

Sec. 2. All laws or parts of laws which conflict with this Act are repealed.

Sec. 3. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Blount Co. who vote thereon in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The governing body of Blount County shall order and provide for the holding of the referendum on such date. On the ballots to be used at such election the question shall be stated substantially as follows:

"Shall the provisions of Act No._____ of the 1959 Regular session of the Legislature, which fixes the compensation of the Coroner of Blount County, be adopted? Yes () No ()."

If a majority of the votes cast in the election are "yes", the provisions of this Act shall become effective immediately. If a majority of "no", this Act shall have no effect. The Judge of Probate of Blount County shall certify the result of the election to the Secretary of State within 30 days after the returns are canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 1, 8, 15, and 22, all in the year 1959.

RICE M. HOWARD.

Sworn to and subscribed before me October 22, 1959.

MOLLY RYAN,
Notary Public.

By Mr. Rutledge:

S. 448. Providing for the appointment of a Clerk or secretarial assistant for the County Solicitor of Blount County, and for the payment of the compensation of such clerk or assistant from the County Treasury; and making this Act effective upon the approval of the voters of the County voting at a referendum.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF

A BILL
TO BE ENTITLED
AN ACT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and the application for its passage and enactment will be made, to-wit:

Providing for the appointment of a Clerk or secretarial assistant for the County Solicitor of Blount County, and for the payment of the compensation of such clerk or assistant from the County Treasury; and making this Act effective upon the approval of the voters of the County voting at a referendum.

Be It Enacted by the Legislature of Alabama:

Sec. 1. The County Solicitor of Blount County may appoint a clerk or secretarial assistant to serve at his pleasure. The Compensation of such clerk or assistant shall be twelve hundred dollars, ($1200.00), per annum, and shall be paid in equal monthly installments from the county treasury.

Sec. 2. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Blount County, voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The governing body of Blount County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows:

"Shall the provision of Act No._____ of the 1959 Regular Session of the Legislature, which fixes the compensation of a clerk for the County Solicitor of Blount County, be adopted? Yes () No ()."

If a majority of the votes cast in the election are "Yes", the provisions of this Act shall become effective immediately. If the majority of "No", this Act shall have no effect. The Judge of Probate of Blount County shall certify the results of the election to the Secretary of State within 30 days after the returns thereof are canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 1, 8, 15, and 22, all in the year 1959.

RICE M. HOWARD.

Sworn to and subscribed before me October 22, 1959.

MOLLY RYAN,
Notary Public.

By Messrs. Crawford and Wilson:

S. 449. Relating to counties comprising a part of the Fourth Judicial Circuit of Alabama having a population of not more than 21,000 or less than 20,000 according to the last, or any subsequent federal decennial census; providing for the abolishment of the criminal jurisdiction of justices of the peace and notaries public ex-officio justices of the peace in said counties and to provide for the transfer or other disposition of cases on the dockets of said justices of the peace and notaries ex-officio justices of the peace; to further provide for the abolishment of the county courts in said counties and to provide for the transfer or other disposition of cases on the dockets of said county courts; and to authorize the circuit courts in said counties to try and otherwise dispose of misdemeanor cases commenced by the complaint upon which the warrant of arrest is issued, or upon information filed by the solicitor and to dispense with a grand jury in said cases; to further provide for a trial by jury of said misdemeanor cases upon compliance with the terms and provisions of Section 321 of Title 15, Code of Alabama 1940; to authorize written pleas of guilty before the clerks of the circuit courts of said counties and proper entry of judgment thereon; to further provide additional expense allowance to the officers of said circuit courts and payment therefor from the solicitor's fund as created for each of said counties by Act 339 of the General Acts of Alabama 1955.

Committee on Judiciary.

By Messrs. Crawford and Wilson:

S. 450. To amend Section 1 and Section 3 of Act 339, S. 188 approved September 6, 1955 to regulate further the office of Circuit Solicitor of the Fourth Judicial Circuit of Alabama: Creating a Solicitor's fund for the use of the Circuit Solicitor.

Committee on Judiciary.

By Mr. Farmer:

S. 451. To amend Sections 4 and 7 of Title 51, Code of Alabama 1940, which relate to applications for exemptions of factories, industries, and plants from ad valorem tax.

Committee on Finance and Taxation.

By Mr. Caffey:

S. 452. To provide a punishment for the violation of any law or regulation pertaining to Seafood Conservation where a specific punishment is not otherwise provided for.

Committee on Forestry and Conservation.

By Mr. Kendall:

S. 453. To amend further Act No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties, and authority of the county superintendent of education of Conecuh County (Local Acts 1939, p. 319), in relation to the compensation and expense allowance of the county superintendent of education; repealing Act No. 152, H. 402, approved June 30, 1953 (Acts of Alabama, 1953 Reg. Sess., vol. I, p. 192) and all conflicting laws.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

NOTICE

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend further Act No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties, and authority of the county superintendent of education of Conecuh County (Local Acts 1939, p. 319), in relation to the compensation and expense allowance of the county superintendent of education; repealing Act. No. 152, H. 402, approved June 30, 1953 (Acts of Alabama, 1953 Reg. Sess., vol. I, p. 192) and all conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act. No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties and authority of the county superintendent of education of Conecuh County (Local Acts of Alabama, 1939 Regular Session, p. 319), as amended, is amended further to read as follows:

"Section 5. The county superintendent of education shall receive an annual salary of not less than four thousand dollars, the exact amount of the salary to be fixed by the county board of education. Such salary shall be payable in equal monthly installments upon the order of the county board of education. In addition to his salary, the county superintendent of education shall also be provided a travel allowance of not less than six hundred dollars per annum, to be fixed by the county board of education, and paid in the manner prescribed by the board."

Section 2. Act No. 152, H. 402, approved June 30, 1953 (Acts of Alabama, 1953 Reg. Sess., vol. I, p. 192) and all other laws and are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 1, Oct. 8, Oct. 15, and Oct. 22, all in the year 1959.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me Oct. 27, 1959.

J. M. JOHNSTON,
Notary Public.

By Mr. Haltom:
S. 454. To provide for the adoption of minor children by their grand-parents; supplementing Chapter 1 of Title 27, Code of Alabama 1940, as amended.

Committee on Judiciary.

By Messrs. Golson and Godfrey:
S. 455. To provide for the payment of salaries of officers and employees of the State of Alabama every second Friday; amending Section 148 of Title 41, Code of Alabama 1940.

Committee on Finance and Taxation.

By Mr. Turner:
S. 456. To provide further for payment of compensation to county superintendents of education.

Committee on Finance and Taxation.

By Mr. Caffey:
S. 457. To provide for an additional judge of the Thirteenth Judicial Circuit of Alabama.

Committee on Finance and Taxation.

By Mr. Moses:
S. 458. To re-establish the County Court of Franklin County in lieu of the Law and Equity Court of Franklin County; abolishing the Law and Equity Court; providing for the transfer of the cases pending therein to the court hereby established or to the circuit court; defining the jurisdiction of the court hereby established; providing it with officers; defining their powers, duties, salaries, compensation, term of office and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; and providing for appeals from the court hereby established.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice of application of intention to apply for enactment of a local law affecting Franklin County.

TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama of 1901 that a bill for a local law affecting Franklin County will be introduced at the current session of the Legislature, and application will be made for its enactment. The substance of such local law will be as follows:

To re-establish the county court of Franklin County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the court shall not be a court of record; to provide that the clerk of the circuit court shall be ex officio clerk of the county court; to provide that the fees and compensation of said clerk for his duties as clerk of the county court shall be the same as now allowed by law to the clerks of the circuit court in criminal cases, and shall be paid in like manner; to provide that the terms of the court shall be attended by the sheriff or his deputies; to provide that monthly terms of the court shall be held; to provide that a term of the court shall be held on the first Monday of every month, or on such other day of every month as the judge of said court may designate, at the county courthouse; to provide for a solicitor of the court and for his compensation; to provide for appeals to the circuit court of the county; to provide for the issuance of warrants of arrest by the judge of the court or the clerk of the court; to provide forms for process and for the execution of process; to prescribe procedures to be followed by the court; to abolish the law and equity court for Franklin County established by Act. 404, H. 808, approved September 28, 1923 (Local Acts 1923, pp. 272-280); to repeal said Act; to provide for the transfer of cases pending in the Franklin County law and equity court to the circuit court of Franklin County and to the county court established by this Act; and to repeal all conflicting laws.

STATE OF ALABAMA,
FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin Co. Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin Co. Times for 4 consecutive weekly issues beginning with the issue of Oct. 1, 1959 and ending with the issue of Oct. 20, 1959.

Subscribed and sworn to before me, this the 20 day of October, 1959 at Russellville, Alabama.

CLAUDE E. SPARKS.

RUTH B. LEOPARD,
Notary Public.

My Commission Expires 7-29-61

By Mr. Dumas:

S. 459. To apply in all counties of the State having a population of not less than 500,000 according to the last or any subsequent Federal decennial census; to authorize the county commission of any county to which this act applies to call an election for the approval or disapproval of central daylight savings time; providing for the ordering and holding of such election.

Committee on Local Legislation.

By Mr. Dumas:

S. 460. To extend, alter and rearrange the boundary lines and corporate limits of the city of Irondale in Jefferson County, Alabama, so as to include within the corporate limits of said city of Irondale all territory now within such corporate limits and also certain other territory contiguous thereto.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE

Notice is hereby given of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, relating to the corporate limits of the City of Irondale in Jefferson County, Alabama, so as to extend, alter and rearrange such corporate limits and annex to the City certain additional territory contiguous to the present corporate limits. The substance of such bill is and will be as follows:

A BILL
TO BE ENTITLED
AN ACT

TO EXTEND, ALTER AND REARRANGE THE BOUNDRY LINES AND CORPORATE LIMITS OF THE CITY OF IRONDALE IN JEFFERSON COUNTY, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF SAID CITY OF IRONDALE ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS THERETO.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporated limits of the City of Irondale in Jefferson County, Alabama, be and the same are hereby extended, altered and rearranged so that the boundry lines and corporate limits of said City shall embrace and include all of the territory now within the existing limits of said City, and, in addition thereto, shall embrace and include also all of the other territory lying within the following described boundaries, to-wit:

Begin at the Southwest Corner of North Half of Northwest Quarter (N½ of NW¼) of Section 30, Township 17 South, Range 1 West, which is the Southeast corner of the present corporate limits of the City of Irondale; thence East along the South line of said North Half of Northwest Quarter (N½ of NW¼) of Section 30 Township 17 South Range 1 West to the East line of said Section 30; thence North along said East line of Section 30 and along the East line of Section 19, Township 17 South, Range 1 West and along the East line of Section 18, Township 17 South, Range 1 West, to its intersection with the southerly line of right-of-way of Central of Georgia Railroad in Southeast Quarter of Southeast Quarter (SE¼ of SE¼) of Section 18, Township 17 South, Range 1 West; thence westerly and southwesterly along said Southerly line of said railroad right-of-way to its intersection with the present corporate limits of the City of Irondale; thence West along said present corporate limits to the Southwest Corner of Northwest Quarter of Northeast Quarter (NW¼ of NE¼) of Section 24, Township

17 South, Range 2 West; thence North along present corporate limits of City of Irondale to the Northwest Corner of Southwest Quarter of Southeast Quarter (SW¼ of SE¼) of Section 13, Township 17 South, Range 2 West; thence West along the present corporate limits of City of Irondale to intersection with southeasterly boundry line of right-of-way of Louisville & Nashville Railroad; thence in a Southwesterly direction along said boundry line of said railroad right-of-way, being the present corporate limits of City of Irondale to the arc of a circle constituting the present corporate limits of City of Irondale and thence in a generally Westerly, Southwesterly, Southerly and Southeasterly direction along said arc constituting present corporate limits of City of Irondale to the intersection thereof with the West line of Section 25, Township 17 South, Range 2 West; thence South along said West line of Section 25, Township 17 South, Range 2 West, being present corporate limits of City of Irondale to the Southwest Corner of the Northwest Quarter (NW¼) of Section 25, Township 17 South, Range 2 West; thence East along present corporate limits of City of Irondale to Southeast corner of Southwest Quarter of Northwest Quarter (SW¼ of NW¼) of Section 25, Township 17 South, Range 2 West; thence North along present corporate limits of City of Irondale to the Northwest Corner of Southeast Quarter of Northwest Quarter (SE¼ of NW¼) of Section 25, Township 17 South, Range 2 West; thence East along present corporate limits of City of Irondale to the Southwest Corner of North Half of Northwest Quarter (N½ of NW¼) of Section 30, Township 17 South, Range 1 West, the point of beginning, all situated in Jefferson County, Alabama.

Section 2. That all that territory embraced within said boundry lines described in Section 1 hereof be and the same is hereby included within the corporate limits of the City of Irondale.

Section 3. That all laws and parts of laws in conflict or inconsistant with this Act be and are hereby repealed.

Section 4. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF JEFFERSON, ss:

On this 30th day of July A. D. one thousand nine hundred and 59 personally appeared before me, a Notary Public in and for the County and State aforesaid Arthur P. Cook who being duly sworn according to law, declares that he is Publisher of The Eastern Sun, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Eastern Sun on the following dates:

July 9th, 1959; July 16th, 1959; July 23rd, 1959; July 30th, 1959.

Signed ARTHUR P. COOK.

Subscribed and sworn to before me this 30th day of July, A. D. 1959.

CASSIE LEE MILLER,
Notary Public.

By Mr. Dumas:

S. 461. To prohibit any person who has attained the age of 70 years from holding any position in the classified service in any county

to which Act No. 248, General Laws of Alabama, approved July 6, 1945 (1945 Acts, pp. 376-400), entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof," applies and to provide that this Act shall become effective January 1, 1962.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Jones, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dumas:

S. 427. To propose an Amendment to the Constitution of Alabama to provide that the making and collection of mortgage loans in Alabama by non-residents solely through the Agency of loan brokers duly licensed as Mortgage Loan Brokers under the laws of Alabama, and maintaining a place of business in the State of Alabama, shall not constitute doing business in Alabama by such non-resident lender, but subjecting such non-resident lender to process in Alabama for the purpose of determining any question concerning such loans.

The above Bill was read a second time at length as required by the Constitution.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hocklander et al:

H. 975. To amend Section 33 of Act No. 100 enacted at the Second Special Session of the Legislature of Alabama of 1959, entitled "An Act to raise revenue: Levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented."

BILLS ON THIRD READING

The Bill:

H. 413. Relating to the Alabama Polytechnic Institute, a public corporation; changing the name of such institution to Auburn University.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Porter	
Archer	Eddins	Haltom	Robison	
Barnett	Farmer	Hines	Rutledge	
Caffey	Gaither	Jones	Shelton	
Cooper	Givhan	Kendall	Turner	
Crawford	Golson	Leonard	Webb	
deGraffenried	Graham	Moses		—26

Nays: —0

The Bill:

S. 414. Relating to schools; to provide for a state tenure commission to determine appeal cases under the teacher tenure law, to provide for the appointment of members and their compensation, and to define the jurisdiction of the commission.

was taken up.

The Standing Committee on Education reported the following amendment to the Bill, to-wit:

Amend Section 4 of SB 414 by striking out the last sentence and substituting the following:

There is hereby appropriated to the State Department of Education for the fiscal year ending September 30, 1960, the sum of $5,000 and for the fiscal year ending September 30, 1961, the sum of $5,000 out of funds in the Alabama Special Educational Trust Fund to be used for the compensation of members and expense of the State Tenure Commission.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Porter	
Andrews	Dumas	Graham	Rutledge	
Archer	Eddins	Green	Shelton	
Barnett	Farmer	Haltom	Turner	
Caffey	Gaither	Hines	Webb	
Cooper	Givhan	Jones	Wilson	
Crawford	Godfrey	Moses		—26

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Porter
Andrews	Eddins	Green	Robison
Archer	Farmer	Haltom	Rutledge
Caffey	Gaither	Hines	Shelton
Cooper	Givhan	Jones	Turner
Crawford	Godfrey	Kendall	Webb
deGraffenried	Golson	Moses	Wilson

—27

Nays: —0

The Bill:

H. 651. To make additional appropriations to the Alabama Institute for Deaf and Blind for each of the fiscal years ending September 30, 1960, and September 30, 1961.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Porter
Archer	Farmer	Haltom	Robison
Caffey	Gaither	Hines	Rutledge
Cooper	Givhan	Jones	Shelton
Crawford	Godfrey	Kendall	Turner
deGraffenried	Golson	Leonard	Webb
Dumas	Graham	Moses	Wilson

—27

Nays: —0

The Bill:

H. 703. To make an appropriation to the Cahaba Historical Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Porter
Andrews	Eddins	Hines	Robison
Archer	Farmer	Jones	Rutledge
Barnett	Gaither	Kendall	Shelton
Cooper	Givhan	Leonard	Turner
Crawford	Golson	Moses	Webb
deGraffenried	Green		

—25

Nays: —0

RESOLUTION

The Standing Committee on Rules reported the following Senate Resolution, to-wit:

S. R. 35. RESOLVED that the Message of the House of Representatives notifying the Senate of non-concurrence in the Senate Amend-

ment to House Bill 102 from the adoption of this Resolution be made supreme and continuing order of business by the Senate and until disposed of, taking precedence over all other special orders. After the Senate has acted on said House Message, then the special order now under consideration shall be the continuing and paramount order of business until disposed of.

And said Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

And requests a Committee on Conference, and the Speaker of the House has named as the Committee on Conference on the part of the House Messrs. Gilchrist, Ashworth and Boyd.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H.B. 102, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Webb, Robison and Graham.

BILLS ON THIRD READING RESUMED

The Bill:

S. 355. To amend Section 587 of Title 37, Code of Alabama (1940) which relates to appeals from Recorder's Court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Robison	
Andrews	Eddins	Kendall	Rutledge	
Archer	Farmer	Leonard	Shelton	
Barnett	Gaither	Moses	Turner	
Cooper	Givhan	Porter	Webb	
Crawford	Green	Roberts	Wilson	
deGraffenried				**—24**

Nays: **—0**

MOTION TO RECONSIDER

On Motion of Mr. Roberts, the Senate reconsidered the vote by which it indefinitely postponed further consideration of the Bill, H. B. 807.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 760. To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of the taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the state treasury.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 75. To amend Section 77 of Title 38 of the Code of Alabama of 1940, as amended, which relates to the pay of pilots.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 254. To amend further Section 25 of Title 36, Code of Alabama 1940, which relates to the stopping of motor vehicles upon the paved or main traveled portion of a highway.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 149. Relating to marital relations; providing that the marriage of any male resident of this state over the age of eighteen years relieves him of the disabilities of minority.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

Upon objection to dispensing with the reading at length of the Bills, the titles of which are set out in the following Messages from the House, the Secretary began the reading at length of the Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 77. To amend Section 81 of Title 38, Code of Alabama 1940, in relation to the pay of bar pilots.

Also:

H. 459. To Amend further Section 254 of Title 13, Code of Alabama (1940), which relates to the appointment and compensation of deputy circuit solicitors of the thirteenth judicial circuit.

Also:

H. 475. To amend Section 1 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 537. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945, who declined membership in the Employees' Retirement System of Alabama in the manner prescribed in Section 3 of Act 515 approved July 9, 1945, and who retires with a minimum of fifteen years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Control of the Employees' Retirement System under the provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 571 approved September 18, 1957 relating to certain benefits to retired state employees, and to provide the appropriation necessary to carry out the provisions of this act.

Also:

H. 642. Relating to and providing for the reidentification of electors in Choctaw County; directing the board of registrars to purge the lists of registered electors; and providing the penalty for anyone willfully making a false statement in connection with such reidentification.

Also:

H. 645. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census and to allow the Boards of Revenue or other like governing body of such counties to fix and set aside, by resolution, certain days of the week for the closing of the offices in the court house of such counties.

Also:

H. 721. To amend further Section 30½ of the act approved September 20, 1957, regulating the practice of cosmetology (Act No. 653, H. 489, Acts 1957, Vol. II, p. 981).

Also:

H. 791. To fix the compensation of the clerk of the Inferior Civil Court of Mobile County.

Also:

H. 812. To levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties.

Also:

H. 814. To alter, extend and rearrange the boundary line and corporate limits of the Town of Glen Allen in Marion and Fayette Counties, Alabama.

Also:

H. 822. To apply in and only in counties in Alabama having a population of 400,000 inhabitants or more, according to the last or any subsequent Federal census, and to empower and authorize the County Commission, board of revenue, or like governing body of all such counties to authorize and approve a monetary allowance not to exceed the sum of Six Hundred Dollars annually, payable in monthly installments, to be made to the Judge of Probate in such county for and on account of the use of an automobile owned or controlled by such Judge of Probate in the event such automobile is used by such Judge of Probate partially or entirely in connection with the performance of his official duties as such Judge of Probate, which sum shall include any other expenses incurred by such Judge of Probate in traveling in his official duties.

Also:

H. 828. To encourage and promote medical and scientific research and the establishment of medical research facilities, and the development of scientific research devices, by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees, charges, and limitations, in all counties having a population of not less than 125,000 nor more than 225,000, according to the most recent federal decennial census.

Also:

H. 830. To provide for the appointment, tenure, and compensation of a stenographic secretary for the judge of the county court of Walker County.

Also:

H. 832. To repeal Act No. 336 of the Regular Session of the Legislature of Alabama of 1951, entitled "An Act Relating to Winston Coun-

ty: To prevent the disclosure of the identity of persons drawn or summoned for jury service at any session of court prior to the beginning of the session; and prescribing penalties for violation of this Act," approved August 1, 1951 (Acts of Alabama, 1951, page 624).

Also:

H. 833. To authorize, direct, and require the state department of revenue to collect any sales and use taxes which may be levied in the municipality of Double Springs, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said municipality; to prescribe the power, duties, and authority of the state department of revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Also:

H. 834. To create and establish a single governing body in and for Winston County, to be known as the Board of Revenue of Winston County, Alabama, to be composed of three members, one of whom shall be chairman of said Board; to provide for the selection and election of the chairman and associate members of said Board; to fix their qualifications and term of office; to fix their compensation and prescribe the funds from which it may be paid; to define and prescribe the jurisdiction, power, and authority of said Board of Revenue, its chairman, and its members, and to repeal all laws, local and general, in conflict herewith.

Also:

H. 854. To create in the City of Tuscaloosa, Alabama, a fund to be known as Firemen's and Policemen's Pension and Relief Fund for the benefit and relief of disabled, sick, retired and other members of such fire and police departments and the widows, certain of the minor children and dependent widowed mothers of certain deceased members of the fire and police departments, and to provide for the use, management, control, and administration of such funds; to provide for the raising of such funds and the sources thereof; to provide for the payment into such fund of a proportion of the monthly salary of such members of the fire department and police department of such city as are eligible to participate in the benefits of such fund; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies including mutual and industrial fire insurance companies, doing business within such city, and for making a sworn report by such fire insurance companies of such premiums to the Board of Trustees of such fund, and to prescribe the penalty for failure to make such payments and report, and for enforcing such penalty; to provide for sworn statements to be made to the city clerk by all persons, firms, or corporations which conduct a fire insurance agency or brokerage business within such city, and to prescribe the penalty for failure to make and file such statements and for enforcing such penalty; to provide for the payment into such fund certain witness fees and certain rewards and gratuities received by firemen and policemen; to provide for the payment into such fund of all liquor seizure fees and all amounts received by the City from the Alcohol Beverage Control Board for confiscated liquors; to authorize the Board of Trustees to accept money and property for said funds; to authorize the governing body of such city to make appropriations to such fund out of the city treasury; to create in such city a Board of Trustees of such Firemen's and Policemen's Pension and Relief Fund; to provide for the transfer of all

monies, securities, property, assets, and things of value in any Firemen's and Policemen's Fund in the City heretofore created to the jurisdiction and control of the Board of Trustees created under this Act; to provide for the organization of such Board of Trustees and to designate certain members of said Board and provide the time and method of electing the remaining members thereof and their term of office; to designate and provide for the selection of officers and agents of said Board; to declare the said Board of Trustees the trustees of such fund; to prescribe the powers, authority and duties of such Board of Trustees, its officers and agents; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire department and police department and the widows, certain minor children, and dependent widowed mothers of certain deceased members thereof; to provide for the retirement and reinstatement of members of such fire and police departments; to prescribe the duties of the city attorney and city physician in connection with said Board of Trustees and said funds; to provide for medical examination and diagnosis of the physical and mental condition of such members of fire and police departments; to provide that no person shall have any vested or contractual rights in said fund, but that such fund shall be held subject to the power of the Legislature; to designate the treasurer of such fund and his duties; to provide that said fund and all benefits received therefrom shall be exempt from levy, execution, garnishment, attachment or seizure of any kind.

Also:

H. 837. To levy additional county privilege license and excise taxes for public school purposes in Hale County, such taxes to parallel the state sales and use taxes provided for in Act. No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 86, H. 388, approved June 21, 1957 (Acts 1957, vol. I, pp. 127-130).

Also:

H. 851. To provide for the relief of W. E. Sikes, of Roanoke, by Randolph County.

Also:

H. 856. To abolish the office of comptroller of Walker County, and establish in lieu thereof a county depository; and to provide for the performance of certain duties relative to county funds by the county depository and other duties relative thereto by the Board of Finance and Control of Walker County and the President thereof, or any other like governing body of such county and its presiding officer.

Also:

H. 859. To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

Also:

H. 861. To alter and re-arrange the boundary lines of the City of Homewood, Alabama so as to include within the corporate limits of

said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Also:

H. 75. To amend Section 77 of Title 38 of the Code of Alabama of 1940, as amended, which relates to the pay of pilots.

Also:

H. 706. Proposing an amendment to the Constitution of Alabama relating to the industrial development of Franklin County and the municipalities therein.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the Bills had been publicly read at length by the Secretary of the Senate, signed the foregoing Bills; the titles of which are set out in the foregoing Message from the House.

MOTION

On motion of Mr. Cooper, further reading at length of the Bills, the titles of which are set out in the following Messages from the House, was dispensed with by the Senate.

Yeas 20; Nays 7.

Yeas:

Messrs.:	deGraffenried	Graham	Porter	
Andrews	Dumas	Haltom	Robison	
Archer	Farmer	Hines	Rutledge	
Caffey	Gaither	Jones	Turner	
Cooper	Godfrey	Moses	Wilson	
Crawford				—20

Nays:

Messrs.:	Eddins	Golson	Shelton	
Barnett	Givhan	Leonard	Webb	
				—7

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 413. Relating to the Alabama Polytechnic Institute, a public corporation; changing the name of such institution to Auburn University.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 651. To make additional appropriations to the Alabama Institute for Deaf and Blind for each of the fiscal years ending September 30, 1960, and September 30, 1961.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 149. Relating to marital relations; providing that the marriage of any male resident of this state over the age of eighteen years relieves him of the disabilities of minority.

Also:

H. 254. To amend further Section 25 of Title 36, Code of Alabama 1940, which relates to the stopping of motor vehicles upon the paved or main traveled portion of a highway.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 762. To authorize the sale and issuance of not exceeding $3,000,000 principal amount of general obligation bonds of the State of

Alabama for the purpose of constructing and equipping a hospital building to constitute a part of the University of Alabama Medical Center and to be used for the care and treatment of mental patients and for training of medical students in the field of mental illness; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary for those portions of the state taxes on the sale of spirituous or vinous liquors and of the state license taxes on those selling, storing or receiving for distribution malt or brewed beverages that are required by law to be paid into the Alabama Special Mental Health Fund; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provisions for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

Also:

H. 765. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding $3,000,000 principal amount of General Obligation Bonds of the State of Alabama for construction and equipment of a hospital building for mental patients to constitute a part of the University of Alabama Medical Center.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 760. To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of the taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the state treasury.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed

the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Callahan, Ferguson, Hocklander, and Trimmier:

H. 758. To provide for the manner of payment, disposition and use of purchase money paid or payable for sale of any lands belonging to the State of Alabama for the use of the Insane of the State, situated in Mount Vernon Barracks Military Reservation, in Mobile County, Alabama.

Also:

By Messrs. Roberts, Callahan, Dodd, and Grant:

H. 679. To require the state department of education to furnish free textbooks to pupils and teachers in classrooms or schools conducted under the supervision of the Alabama state hospitals.

Also:

By Mr. Roberts:

H. 476. To provide for the continuity of the Legislature of the State of Alabama and the political subdivisions of the State of Alabama in the event of an attack by an enemy of the United States.

Also:

By Messrs. Locke, Cates, Cabiness, Rast, Edwards, Perry, Morrow, and Sessions:

H. 786. To amend further Section 718 of Title 51, Code of Alabama 1940, in relation to liability for collection and payment of the tax on tobacco and tobacco products.

Also:

By Messrs. Hawkins, Edwards, Rast, Perry, Locke, Sessions, and Morrow:

H. 659. TO exempt from state, county and municipal taxes, licenses, fees and charges, property owned by certain non-profit membership corporations of retired public schools teachers and supervisory staff personnel.

Also:

By Mr. Oakley:

H. 563. To permit the county and city boards of education, by their rules and regulations, to provide assistance to residents of their respective districts for instruction on an elementary or secondary level not available to them in public schools within the district.

Also:

By Mr. Oakley:

H. 418. To amend Section 445 of Title 37 of the Code of 1940 relating to the employment of an expert accountant for the annual examination of the books and accounts of municipal officials.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 758, 786 and 659 — to the Committee on Finance and Taxation

H. B.'s 476 and 418 — to the Committee on Judiciary

H. B.'s 679 and 563 — to the Committee on Education

MOTION TO ADJOURN LOST

At 5:07 P.M., Mr. Givhan moved that the Senate adjourn until Friday, October 30, 1959, at 10 o'clock A.M., which motion was lost.

Yeas 9; Nays 16.

Yeas:

Messrs.:	Golson	Porter	Shelton	
Eddins	Green	Roberts	Webb	
Givhan	Leonard			—9

Nays:

Messrs.:	deGraffenried	Godfrey	Moses	
Archer	Dumas	Graham	Robison	
Caffey	Farmer	Haltom	Rutledge	
Cooper	Gaither	Hines	Turner	
Crawford				—16

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Murphy:

H. 652. Relating to Mobile County: To provide that the laws governing the countywide Civil Service System of Mobile County shall apply to any person holding the position of Chief Clerk, unclassified, in the office of the Tax Assessor of Mobile County, provided that such person shall have held such position continuously for a period of not less than eighteen years; and to provide for the placing of such person upon the employment roster of the Civil Service System of Mobile County, without examination and without any decrease in the salary of such person.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To provide that the laws governing the countywide Civil Service System of Mobile County shall apply to any person holding the position of Chief Clerk, unclassified, in the office of the Tax Assessor of Mobile County, provided that such person shall have held such position continuously for a period of not less than eighteen years; and to provide for the placing of such person upon the employment roster of the Civil Service System of Mobile County, without examination and without any decrease in the salary of such person.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the laws governing the countywide Civil Service System of Mobile County shall apply to any person holding the position of Chief Clerk, not now included in such Civil Service System, in the office of the Tax Assessor of Mobile County, if and when such person shall have held such position continuously for a period of not less than eighteen years.

SECTION 2. That upon the date upon which this Act becomes effective, any such person affected by its terms shall be placed forthwith upon the employment roster and in the Classified Service of the countywide Civil Service System of Mobile County without such person standing any examination provided by the laws and rules governing such countywide Civil Service System. Any person who in the future shall have held such position for such period shall likewise be placed upon such roster, and in such service. In placing any person affected by the provisions of this Act upon the employment roster and in the Classified Service of the countywide Civil Service System of Mobile County, such position shall be allocated to the appropriate class and salary level to reflect recognition of the fact that such position exceeds in authority and responsibility any other position under the authority of the Tax Assessor of Mobile County. In no event shall such person be placed in a pay step with a remuneration less than the remuneration which such person is receiving upon his being placed upon the roster and in the Classified Service of such Civil Service System.

SECTION 3. That nothing in this Act shall be construed as abridging the power of a Tax Assessor to appoint a Chief Clerk in his office without reference to any Civil Service System, whenever such position is not held by any such person as is hereinabove described.

SECTION 4. That all laws or parts of laws, general or local, in conflict with this Act are hereby repealed.

SECTION 5. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Register, Aug. 17, 24, 31, Sept. 7

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared A. A. Johnson, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Comptroller of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 17, Aug. 24, Aug. 31, and Sept 7, all in the year 1959.

A. A. JOHNSON

Sworn to and subscribed before me September 8th, 1959.

GREG L. KENNY,
Notary Public.

Also:

By Mr. Franklin:

H. 836. Relating to counties having a population of less than 11,800, according to the last or any subsequent federal decennial census; to authorize the court of county commissioners, board of revenue or other like governing body to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the public highway and traffic control fund.

Also:

By Mr. Hankins:

H. 877. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

THE STATE OF ALABAMA,
LAMAR COUNTY.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Millport Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The S½ of the NE¼, the S½ of the NW¼, the SW¼ and the SE¼ of Section 22, all of Section 23, the N½ of Section 26 and the N½ of Section 27, Township 17 South, Range 15 West, in Lamar County, Alabama.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act, be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 10, Sept. 17, Sept. 24, and Oct. 1, all in the year 1959.

JACK HANKINS

Sworn to and subscribed before me October 1, 1959.

ESTELLE E. DEAN,
Notary Public.

Also:

By Messrs. Turnham and Torbert:
H. 878. To extend, alter and rearrange the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said City all of the following described territory:

Beginning at the northeast corner of Section 16, Township 19 North, Range 26 East, of the St. Stephens Meridian in Lee County, Alabama,

run southerly along the east boundary line of said Section 16 for a distance of one mile to the northeast corner of Section 21, Township 19 North, Range 26 East, Lee County Alabama; run thence southerly, along the east boundary of said section 21 for a distance of one mile to the northwest corner of Section 27, Township 19 North, Range 26 East, Lee County, Alabama; run thence easterly, along the north boundary of said Section 27 for a distance of one mile to the northeast corner of said Section 27; run thence southerly, along the east boundary of said Section 27 for a distance of one mile to the northeast corner of Section 34, Township 19 North, Range 26 East, Lee County, Alabama; run thence southerly, along the east boundary of said Section 34 for one mile to the northeast corner of Section 3, Township 18 North, Range 26 East, Lee County, Alabama; run thence southerly, along the east boundary of said Section 3, for a distance of one-half (½) mile to the southeast corner of the northeast quarter of said Section 3; run thence westerly, along the east-west half section line running through said Section 3 for a distance of one mile to the southwest corner of the northwest quarter of said Section 3; run thence westerly, along the east-west half section line running through Section 4, Township 18 North, Range 26 East, Lee County, Alabama for a distance of one mile to the southwest corner of the northwest quarter of said Section 4; run thence westerly, along the east-west half section line running through Section 5, Township 18 North, Range 26 East, Lee County, Alabama, for a distance of one mile to the southwest corner of the northwest quarter of said Section 5; run thence westerly along the east-west half section line of Section 6, Township 18 North, Range 26 East, Lee County, Alabama, for a distance of one mile to the southwest corner of the northwest quarter of said Section 6; run thence westerly, along the east-west half section line running through Section 1, Township 18 North, Range 25 East, Lee County, Alabama, for a distance of one mile to the southwest corner of the northwest quarter of said Section 1; run thence westerly, along the east-west half section line running through Section 2, Township 18 North, Range 25 East, Lee County, Alabama; for a distance of one-half mile to the southwest corner of the northeast quater of said Section 2; run thence northerly, along the north-south half section line running through said Section 2 for a distance of one-half mile to the northwest corner of the northeast quarter of said Section 2; run thence northerly, along the north-south half-section line running through Section 35, Township 19 North, Range 25 East, Lee County, Alabama, for a distance of one mile to the southwest corner of the southeast quarter of Section 26, Township 19 North, Range 25 East, Lee County, Alabama; run thence northerly, along the north-south half-section line running through said Section 26 for a distance of one mile to the southwest corner of the southeast quarter of Section 23, Township 19 North, Range 25 East, Lee County, Alabama; run thence northerly, along the north-south half-section line running through said Section 23 for a distance of one mile to the southwest corner of the southeast quarter of Section 14, Township 19 North, Range 25 East, Lee County, Alabama; run thence northerly along the north-south half-section line running through said Section 14 for a distance of one mile to the northwest corner of the northeast quarter of said Section 14; run thence easterly along the north edge of said Section 14 for a distance of one-half mile to the northwest corner of Section 13, Township 19 North, Range 25 East, Lee County Alabama; run thence easterly along the north edge of said Section 13 for one mile to the northwest corner of Section 18, Township 19 North, Range 26 East, Lee County, Alabama; run thence easterly, along the north edge of said Section 18 for a distance of one mile to the northwest corner of Section 17, Township 19 North, Range 26 East, Lee County, Alabama; run thence easterly, along the north edge of said Section 17 for a distance of one mile to the northwest corner of Section 16, Township 19 North, Range 26

East, Lee County, Alabama; run thence easterly along the north edge of said Section 16 for a distance of one mile to the northeast corner of said Section 16 and the point of beginning, all said lands being situated in Lee County, State of Alabama.

The above described boundary line being the corporate limits of the City of Auburn, Alabama, and including all lands lying within the above described boundary line.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective on the 30th day of September, 1959, after its passage and approval by the Governor, or if this Act is passed and approved by the Governor subsequent to the 30th day of September, 1959, then the same shall become effective immediately upon its passage and approval by the Governor.

AFFIDAVIT OF PUBLICATION

I, Neil O. Davis, Publisher, of Lee County Bulletin, published weekly at Auburn, Ala., do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated July 30, 1959, and ending with the issue dated Aug. 20, 1959.

NEIL O. DAVIS.

Subscribed and sworn before me this 31st day of August, 1959.

ALMA N. SHAFFER,
Notary Public.

By Messrs. Murphy and Hocklander:

H. 881. To require the Director of the State Department of Public Safety to notify the Commissioner of Licenses of Mobile County upon the suspension or revocation of the permanent driver license of any resident of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To require the Director of the State Department of Public Safety to notify the Commissioner of Licenses of Mobile County upon the suspension or revocation of the permanent driver license of any resident of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the revocation or suspension by the Director of the State Department of Public Safety of the permanent driver license of any resident of Mobile County, or upon notification to the State Department of Public Safety by any trial court of this State that the permanent driver license of any resident of Mobile County has been revoked or suspended, the Director of Public Safety shall notify the Commissioner of Licenses of Mobile County, within five days thereafter, of such revocation or suspension.

Section 2. A certified copy of such notice from the Director of Public Safety shall be admissible in any court in Mobile County as conclusive proof of the fact that the party referred to therein has had his driving privileges revoked.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared A. A. Johnson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Comptroller of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 2nd, Sept. 9th, Sept. 16th, and Sept. 23rd, all in the year 1959.

A. A. JOHNSON.

Sworn to and subscribed before me September 23rd, 1959.

GREG L. KENNY,
Notary Public.

Also:

By Mr. Trimmier:

H. 882. To amend Section Six (6) of an Act approved March 28, 1955, and found in Acts of Alabama, 1955, Volume 1, pages 122-123, relating to the appointment of an Assistant Treasurer of Mobile County; and providing for the qualifications, term, duties, bond, compensation, and manner and method of paying same, and fixing time at which said Act shall go into effect.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of an Act, to read substantially as follows:

An Act to amend Section Six (6) of an Act approved March 28, 1955, and found in Acts of Alabama, 1955, Volume 1, pages 122-123, re-

lating to the appointment of an Assistant Treasurer of Mobile County; and providing for the qualifications, term, duties, bond, compensation, and manner and method of paying same, and fixing time at which said Act shall go into effect.

Be It Enacted by the Legislature of Alabama:

That Section Six (6) of an Act approved March 28, 1955, and found in Acts of Alabama, 1955, Volume 1, pages 122-123, relating to the appointment of an Assistant Treasurer of Mobile County; and providing for the qualifications, term, duties, bond, compensation, and manner and method of paying same, and fixing time at which said Act shall go into effect, be and the same is hereby amended to read as follows:

Section 6. The compensation of such Assistant Treasurer of Mobile County shall be not less than Five Thousand ($5,000.00) Dollars per annum nor more than Six Thousand ($6,000.00) Dollars per annum, at the discretion of the County Treasurer, and shall be paid in equal monthly installments from the County Treasury of Mobile County.

W. F. Egan being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, 8/18.25 9/1.8 1959.

W. F. EGAN

Sworn to and subscribed before me this 14th day of September, 1959.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Mr. Trimmier:

H. 883. To amend Section 41, Title 62 of the Code of Alabama, 1940, as amended by Act 412 of the Regular Session 1947, of the Legislature of Alabama, approved September 19, 1947.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of an Act, to read substantially as follows:

An Act to amend Section 41, Title 62 of the Code of Alabama, 1940, as amended by Act 412 of the Regular Session 1947 of the Legislature of Alabama, approved September 19, 1947.

Be It Enacted by the Legislature of Alabama:

That Section 41, Title 62, of the Code of Alabama, 1940, as amended by Act 412 of the Regular Session of the Legislature of Alabama 1947, and approved September 19, 1947, be and the same is hereby amended to read as follows:

Section 41. Compensation of the County Treasurer—The Salary of the County Treasurer in the County of Mobile shall be Nine Thousand ($9000.00) Dollars per annum, payable in equal monthly installments from the County Treasury on warrrants drawn by the President or Chairman of the County governing body.

W. F. Egan being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, 8/17.24 .31 9/7, 1959.

W. F. EGAN

Sworn to and subscribed before me this 14th day of September, 1959.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Nichols and Camp:

H. 891. To authorize any municipality in Talladega County, Alabama, and Talladega County, to make appropriations of moneys and transfers of property to or for the benefit of any public hospital corporation now or hereafter organized in Talladega County, Alabama, under Act No. 211, adopted at the 1945 Regular Session of the Legislature of Alabama, Act No. 46 adopted at the 1949 Regular Session of said Legislature, or Act No. 63 adopted at the 1957 Regular Session of said Legislature; to authorize agreements between Talladega County or any municipality located in Talladega County and any such public hospital corporation located in Talladega County whereunder such corporation will agree to make available hospital space to inhabitants of such agreeing municipality or Talladega County, and whereunder such agreeing municipality or Talladega County will agree to make monthly or annual payments to such corporation; and to provide that any appropriations made hereunder and any payments provided for in any such agreements shall be deemed revenues of the public hospital corporation receiving them, within the meaning of said Act No. 211 and said Act No. 46 and any other applicable statute, and may be pledged as security for obligations of the public hospital corporation pursuant to the provisions of said statutes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
TALLADEGA COUNTY

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:—

A BILL
TO BE ENTITLED
AN ACT

To authorize any municipality in Talladega County, Alabama, and Talladega County, to make appropriations of moneys and transfers of property to or for the benefit of any public hospital corporation now or hereafter organized in Talladega County, Alabama, under Act No. 211, adopted at the 1945 Regular Session of the Legislature of Alabama, Act No. 46 adopted at the 1949 Regular Session of said Legislature, or Act No. 63 adopted at the 1957 Regular Session of said Legislature; to authorize agreements between Talladega County or any municipality located in Talladega County and any such public hospital cor-

poration located in Talladega County whereunder such corporation will agree to make available hospital space to inhabitants of such agreeing municipality or Talladega County, and whereunder such agreeing municipality or Talladega County will agree to make monthly or annual payments to such corporation; and to provide than any appropriations made hereunder and any payments provided for in any such agreements shall be deemed revenues of the public hospital corporation receiving them, within the meaning of said Act No. 211 and said Act No. 46 and any other applicable statute, and may be pledged as security for obligations of the public hospital corporation pursuant to the provisions of said statutes.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words when used herein shall have the following respective meanings: "Local subdivision" means Talladega County or any municipal corporation in Talladega County. "Hospital corporation" means any of the following: (1) a hospital association in Talladega County heretofore or hereafter organized under the provisions of Act No. 211 adopted at the 1945 Regular Session of the Legislature of Alabama, as originally adopted or as at any time heretofore or hereafter amended; (2) a hospital board heretofore or hereafter organized under the provisions of Act. No. 46 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as at any time heretofore or hereafter amended; and (3) any corporation heretofore or hereafter organized or created pursuant to the provisions of Act No. 63 adopted at the 1957 Regular Session of the Legislature of Alabama, as originally adopted or as at any time hereafter amended.

Section 2. Appropriations and Transfers of Property to Hospital Corporations. Any local subdivision may make an appropriation or appropriations of money, and may transfer and convey property with or without pecuniary consideration, to or for the benefit of any hospital corporation; provided, that no such appropriation of money or transfer of property shall be made unless the governing body of such local subdivision shall by resolution or ordinance have authorized such appropriation or transfer, as the case may be.

Section 3. Agreements between Local Subdivisions and Hospital Corporations. Any local subdivision and any hospital corporation shall have the power to enter into agreements with each other whereunder the hospital corporation will agree to make and keep available hospital space to regular paying patients and indigent patients, or either, who are inhabitants of such local subdivision, the space to be made and kept available to be of such character and of such extent and the number and types or classifications of such patients to be as may be specified in such agreement, and whereunder the local subdivision shall agree, in consideration of the availability of such space, to pay to such hospital corporation such amounts of money, either monthly or annually, as may be specified in such agreement; provided, that no such agreement shall be entered into unless authorized by the governing body of the local subdivision and by the board of directors or other governing body of the hospital corporation; and provided, further, that no such agreement shall extend for a period longer than ten years from its effective date. Any such agreement may, in the discretion of the parties thereto, include a provision making the availability of space thereunder subject to suspension in situations of unusual emergency.

Section 4. Moneys Paid Hereunder to Hospital Corporation Deemed Revenues of Corporation Within Applicable Statutes. Any moneys appropriated by a local subdivision to a hospital corporation hereunder or provided in any agreement entered into hereunder to be paid by a local

subdivision to a hospital corporation shall be deemed to constitute revenues of the hospital corporation within the meaning of Section 12 of said Act. No. 211, and Section 8 of said Act No. 46, and any other statute dealing with or affecting pledges of the revenues of a hospital corporation; and may be specially pledge by the hospital corporation as security for its obligations issued under authority of said Act No. 211, said Act No. 46, or other applicable statute, pursuant to and in accordance with the provisions of any of said statutes respecting pledges of the revenues of a hospital corporation.

Section 5. Severability. If any provision or portion of this act should for any reason be held invalid by any court of competent jurisdiction, the holding of such invalidity shall not affect any other provisions or portions of this act, all of which shall continue effective.

Section 6. Effective Date. This act shall become effective immediately upon its passage by the Legislature and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law deposes and says that he is the Publisher of the SYLACAUGA ADVANCE a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: Aug. 20, 1959, Aug. 27, 1959, Sept. 3, 1959, Sept. 10, 1959.

W. A. MOODY

Subscribed and sworn to before me this 24 day of Sept. 1959.

My commission expires 8-30-63.

H. C. KRAMER, JR.
Notary Public.

OAKLEY MELTON, JR..
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 652, 836, 877, 878, 881, 882, 883 and 891 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Callahan and Feguson:
H. J. R. 76. WHEREAS, Colonel James P. Clinton, formerly a Colonel on the Staff of Governor James E. Folsom, a native Tuscaloosan, an outstanding leader in the City and in the County of Tuscaloosa, and

a member of the County Board of Equalization was stricken by death on Friday, October 9; and

WHEREAS, Colonel Clinton has served for many years as an active member of the fire department of the City of Tuscaloosa, had been State President of the Uniform Fire Fighters Association and had long been active in programs for fire prevention; and

WHEREAS, in addition to his long and faithful services to his native city as an employee, he has contributed much to his fellow citizens by his active interest and participation in numerous religious, civic, patriotic, and philanthropic organizations; and

WHEREAS, Colonel Clinton is particularly outstanding for his participation in the Tuscaloosa Central Labor Union, the Salvation Army, the Alabama State Federation of Labor, and the Uniform Fire Fighters Association; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING:

That the Legislature of Alabama hereby expresses its deep regret at the passing of this valuable citizen of Tuscaloosa, whose presence and wise leadership will be sorely missed, and hereby extends sincere sympathy to his wife and family.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded by the Clerk of the House to the widow and a copy thereof to the Tuscaloosa News at Tuscaloosa.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. deGraffenried, the Rules were suspended and the Resolution, H. J. R. 76, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Steagall:

H. J. R. No. 78. BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that:

WHEREAS, on October 11, 1959, Judge Frank O. Deese, fromer Probate Judge of Dale County, Alabama, departed this life, leaving behind him a host of devoted friends acquired through the lifetime of service to his fellowman; and

WHEREAS, Judge Deese had served with distinction as a member of the House of Representatives of the State of Alabama from Dale County during the Kilby administration; and

WHEREAS, Judge Deese had served as Probate Judge of Dale County for eighteen (18) years during which period of time many progressive steps were accomplished for Dale County, all with distinction as a public servant; and

WHEREAS, Judge Deese, above all else, was an outstanding Christian gentleman who loved people and who was loved by all who knew him; and

WHEREAS, the people of Dale County and indeed all the people of Alabama, have suffered a great loss in the passing of this distinguished man;

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the State of Alabama deeply mourns the death of Judge Frank O. Deese, and in recognition of his many years of devoted and unselfish service to his fellowman adopts this resolution and directs that the resolution be spread upon the pages of the Journals of both Houses of the Legislature and that a duly executed copy hereof be forwarded to the following members of the family of Judge Deese; his widow, Mrs. Berta Martin Deese, Ozark; his daughter, Mrs. William B. Kingsley, Ozark; and his daughter Mrs. Jack C. Jones, Silver Springs, Maryland.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Barnett, the Rules were suspended and the Resolution, H. J. R. 78, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends herewith to the Senate for its consideration:

By Mr. Jones (Covington):

H. J. R. 80. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the two Houses mark with deep regrets the passing of Professor J. E. Henley in Florala on Saturday, October 17, 1959. Professor Henley was a veteran educator with more than fifty years of devoted service. He was an esteemed member of the House during th second term of the late Governor Bibb Graves. His death is a great loss to his community and to Alabama, and his passing is deeply mourned.

RESOLVED FURTHER, That the Clerk is directed to send a copy of this resolution to Mrs. J. E. Henley, at Florala, Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Crawford, the Rules were suspended and the Resolution, H. J. R. 80, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Murphy and Hocklander:

H. J. R. 82. WHEREAS, on Saturday, October 17th, 1959, Samuel Palmer Gaillard, the olderst living member of the American Bar Association, passed to his reward at Mobile, Alabama, in the 104th year of his life after long and faithful service to his people; and,

WHEREAS, the outstanding ability of Mr. Gaillard, coupled with the spotless life which he had led and his superb Christian character endeared him to the hearts of all who knew him; and,

WHEREAS, in his career as an outstanding and learned attorney, as a member of the old Alabama Railroad Commission, as a member of the Mobile County Board of Revenue and Road Commissioners, and as President of the Board of School Commissioners of Mobile County he rendered outstanding service to his fellow men; and,

WHEREAS, he was the olderst Free Mason in America and for almost three-quarters of a century had served as an Elder in the Presbyterian Church and had been honored by his brethren at the Mobile Bar by being made Honorary President Emeritus of the Mobile County Bar Association, and we deem it fitting that this Legislative Body should take some note of the passing of such a distinguished and outstanding citizen:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives, the Senate concurring, that the people of Alabama, the South and the Nation have lost in the death of Samuel Palmer Gaillard **a great lawyer, an outstanding Christian gentleman, and one of** whom all of us has been justly proud.

BE IT FURTHER RESOLVED that a copy of this resolution be spread on the minutes of the Senate and of the House of Representatives, and that a copy be sent to the press and to the bereaved family of our departed friend.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Caffey, the Rules were suspended and the Resolution, H. J. R. 82, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Martin and Oakley:

H. J. R. 79. WHEREAS Samuel Cornelius Nettles, Senior, the father of our distinguished colleague from Wilcox County, departed this life on March 21, 1959; and

WHEREAS Mr. Nettles was a life-long resident of Alabama, having been born in Buena Vista, Alabama, in Monroe County, eighty years ago and residing at the time of his death in Arlington, Alabama; and

WHEREAS he was a leading merchant and had formerly engaged in the lumber business, was also a Methodist, Mason and Democrat; and

WHEREAS he was the father of six children, all of whom have made contributions to their respective communities; and

WHEREAS Mr. Nettles was an outstanding citizen, family man and christian; Now, Therefore,

BE IT RESOLVED BY THE ALABAMA HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That this Legislature notes with profound regret the passing of Samuel Cornelius Nettles, Senior, and expresses sympathy to all the surviving members of his family.

BE IT FURTHER RESOLVED That the Clerk of the House be directed to transmit a copy of this Resolution to Mrs. Janie Nettles and to the sons and daughters of Mr. Nettles.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 79, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Goodwyn, Adams (Tallapoosa), Camp, Pierce, Grouby, Ashworth, Thomas, Cates, Smith (St. Clair), Copeland, Merrill, Casey, Albea, Gilmer, Hardy, Hain, Nichols, Franklin, Meade, Speaks, Cabiness, Gross, McClendon (Chambers), Jenkins, Nettles, Daniel, Goldthwaite, Boyd, Oakley, Jones (Monroe), Trimmier, Hocklander:

H. J. R. 75. WHEREAS, for many years much has been said and written about the proposed development of the Alabama-Coosa River System in the States of Alabama and Georgia, and it has been the intent and purpose of the people of our State for a long period of time that the complete development of this great waterway would increase the economy of the river basin of approximately 26,000 square miles, the Southeastern region, and the Nation; and

WHEREAS, the Corps of Engineers, U. S. Army, has over the years conducted studies and surveys and has found the development of the Alabama-Coosa River System for navigation and other purposes to be economically justified, and did recommend the initial and ultimate comprehensive plan of development for this great waterway to the Congress of the United States; and

WHEREAS, the 79th Congress by enactment of Public Law 14 approved March 2, 1945, did authorize the development of the Alabama-Coosa River System for navigation, flood control, power, and other purposes, including the initial plan of development of the river system consisting of one navigation and two multiple-purpose dams to be constructed on the Alabama River and one hydro-electric power dam on the Coosa River; and

WHEREAS, the development of the Coosa River for the generation of hydro-electric power has suspended by enactment of Public

Law 436 by the 84th Congress to permit a private utility, under certain conditions and requirements of a license later issued by the Federal Power Commission, to develop the Coosa River for hydro-electric power; and

WHEREAS, the President of the United States did on January 6, 1955, in the address on the State of the Union delivered by him to the 84th Congress, specifically mention the Coosa River as complying with the Administration's "Partnership Policy", and did state in the address, quote: "Now, of course, the Federal Government must shoulder its own partnership obligations by undertaking projects of such complexity and size that their success requires Federal development." (End of quote); and

WHEREAS, the authorized projects on the Alabama River section of the waterway are of such size and complexity that in order to maintain the economic feasibility, the development must be accomplished by the Federal Government; and

WHEREAS, during recent years there have been certain restrictions placed on the Corps of Engineers by the Executive Department of the Federal Government that have apparently prevented the Engineers from allocating funds to resume advanced planning of the Millers Ferry multiple-purpose dam, this being scheduled by the Corps of Engineers as the first of three dams to be constructed on the Alabama River; and

WHEREAS, a further postponement of the development of the river involves a continuing loss in the economic advancement of the States of Alabama and Georgia and the Nation, and further will continue to delay the Federal Government's responsibility in assuming its initial partnership obligations in the ultimate development of the Alabama-Coosa River System from the mouth of the Alabama River to Montgomery, Alabama, then to Gadsden, Alabama, and eventually to Rome, Georgia.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that the Executive Department, Bureau of the Budget, remove any restrictions on the Corps of Engineers, U. S. Army in the allocation of funds for development of the authorized projects on the Alabama River; and further, that the Congress of the United States is hereby requested to make available at the Second Session of the 86th Congress an appropriation for the resumption of advanced planning of the Millers Ferry multiple-purpose dam, Alabama River; and further, that the Corps of Engineers allocate funds to be included in the Fiscal Year 1961 Budget for plans on the initial project in the ultimate development of the Alabama-Coosa River System; and further that a copy of this Resolution be forwarded to each Member of the Alabama Congressional Delegation, and that they be urged to exert their every effort to expedite the complete development of the river system, and that they do concentrate their efforts in securing an appropriation from the present Congress during the Second Session that convenes in January, 1960; and further, that a copy of this Resolution be transmitted to the President of the United States, to the Director of the Bureau of the Budget, and to the Chief of Engineers, Corps of Engineers, U. S. Army.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 75, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 34. Relative to expressing regret of the death on October 18 of William T. Callahan, Jr.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Martin, McLendon and Jones (Monroe):

H. J. R. 86. WHEREAS, death came on October 27 to Judge Eleanor Montgomery Coleman, wife of Justice James S. Coleman, and daughter of the late Judge L. H. Montgomery; and

WHEREAS, Judge Coleman was one of the State's most loved public servants having served Greene County with distinction as Chief Clerk in the Probate Office during her father's many terms as Judge of that Court and later succeeding him to this Judgeship; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Legislature hereby expresses deepest grief upon her passing and extends to the surviving members of her family deepest and most sincere sympathy.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Justice Coleman.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wilson, the Rules were suspended and the Resolution, H. J. R. 86, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Smith (St. Clair) and Grouby:

H. J. R. 83. RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the two house of the Legislature of Alabama warmly commend the officers and members of

the Alabama Farm Bureau for their decision to hold their 1959 annual meeting in Montgomery, Alabama, instead of out of state. We also extend our best wishes to this fine organization for a successful and enjoyable meeting.

RESOLVED FURTHER, That the Clerk of the House is directed to send copies of this resolution to the President and directors of the Alabama Farm Bureau.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Rules were suspended and the Resolution, H. J. R. 83, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bailey, Pierce, Goodwyn and Goldthwaite:

H. J. R. 77. RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the two houses of the Legislature of Alabama notice with great pleasure the fact that the spectacular 6th Annual South Alabama Fair is now under way at the Coliseum in Montgomery, and we warmly commend the members and officers of the Montgomery Kiwanis Club for their club's sponsorship of this splendid function, the profits of which enable the club to contribute enormously to the support of such youth agencies as the YMCA, YWCA, Boy Scouts, Girl Scouts, and many other worthwhile organizations. The South Alabama Fair is noted for its fine exhibits of agricultural and industrial products and activities, for the glitter and glamour of its midway, for the capital entertainment provided by its carnival and shows, and for the relaxation and enjoyment it affords all those who attend. The two houses extend their best wishes for a successful run for the Fair during the week of October 12-17, 1959.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 77, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Johnson (J. T. Tom), Torbert, Adams (Tallapoosa), Reynolds (Chambers), McLendon (Chambers), Turnham, and Rogers:

H. 627. Relating to the Fifth Judicial Circuit; Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for

the payment of such secretary's compensation by the counties composing the circuit.

Also:

By Mr. Dodd:

H. 842. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
LAWRENCE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act. No. 147, H. 472, approved July 17, 1947, entitled "An act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 147, H. 472, approved July 17, 1947, entitled "An Act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86), as amended, is amended further to read as follows:

"Section 1. That the Clerk of the Circuit Court of Lawrence County, Alabama be and he is hereby authorized to appoint a deputy clerk for said court and said deputy clerk shall hold office at the pleasure of said Circuit Clerk and shall receive a salary of not less than $250.00 or more than $300.00 per month, to be fixed by the governing body of Lawrence County, Alabama, and to be paid out of the General Fund of Lawrence County, Alabama. Said deputy clerk shall possess all the powers and authority both ministerial and judicial now or hereafter possessed by the said Circuit Clerk, and shall also be deputy Register at such time as the clerk of the Circuit Court of Lawrence County, Alabama, is authorized to perform the duties of the register of said court."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

STATE OF ALABAMA,
LAWRENCE COUNTY.

Before me a Nortary Public, in and for said State and County, personally appeared Arthur F. Slaton, publisher of The Moulton Ad-

vertiser, a newspaper published in said State and County, who being sworn according to law, deposes and says that, the legal notice, copy of which is herewith attached, was duly published in The Moulton Advertiser for 4 consecutive weekly issues beginning with the issue of September 3, 1959 and ending with the issue of Sept. 24, 1959.

ARTHUR F. SLATON

Subscribed an dsworn to before me, this the 28 day of Sept., 1959 at Moulton, Alabama.

BETTY S. DYAR,
Notary Public.

My commission expires 5-29-63.

Also:

By Mr. Cook:
H. 841. To alter, rearrange and extend the boundaries of the Town of Kinston in Coffee County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COFFEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the Town of Kinston in Coffee County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the Town of Kinston in Coffee County are hereby altered, rearranged and extended so as to include within the corporate limits of said municipality all of the following described lands, lying and being in Coffee County, Alabama, to-wit:

S½ of SE¼, Section 7; S½ of S½, Section 8; SW¼ of SW¼, Section 9; W½ of W½, Section 16; N½ of Section 17; N½ of S½, section 17, and SE¼ of SE¼, Section 17; E½ of Section 18; E½ of Section 19; E½ of E½, Section 20; S½ of SW¼, Section 20, and SW¼ of SE¼, section 20; W½ of W½, Section 21; W½ of NW¼, Section 28, N½ of Section 39; NE ¼ of Section 30. All in Township 3N, and Range 19E.

Section 2. All farm land annexed to the Town of Kinston by this Act, together with the improvements thereon and the appurtenances thereunto appertaining, shall be exempt from all ad valorem taxation by the Town of Kinston during the time such property is used for farming purposes.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

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STATE OF ALABAMA
COFFEE COUNTY

Manuel Segall, of said state and county, being first duly sworn, on his oath says:

That he is the publisher of The Enterprise Ledger, a weekly newspaper of general circulation, printed and published in the City of Enterprise in said county and state, and has been such during the time herein after mentioned, and that the advertisement headed:

Town of Kinston Legal

a printed copy of which is hereto attached, was printed and published in every copy of each issue of said newspaper for a period of 4 consecutive weeks, to wit:

First Publication August 20, 1959; Second Publication August 27, 1959; Third Publication September 3, 1959; Fourth Publication September 10, 1959.

MANUEL SEGALL
Publisher

Sworn to and subscribed before me this the 25 day of September, 1959.

ROY M. SHOFFNER,
Notary Public.

My Commission expires: 2-27-63.

Also:

By Mr. Meade:
H. 870. To amend an act approved September 1, 1939, authorizing the governing body of Cherokee County to levy and collect a gasoline tax (Act No. 314, H. 700, Local Acts 1939, p. 200) so as to exclude diesel fuel as a taxable fuel under the act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabaman and Application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend an act approved September 1, 1939, authorizing the governing body of Cherokee County to levy and collect a gasoline tax (Act No. 314, H. 700, Local Acts 1939, p. 200) so as to exclude diesel fuel as a taxable fuel under the act.

Be It Enacted by the Legislature of Alabama:

Section 1 of the act approved September 1, 1939, authorizing the governing body of Cherokee County to impose an excise tax on gasoline (Act No. 314, H. 700, Local Acts 1939, p. 200) is hereby amended to read as follows:

"Section 1. The term 'gasoline' as used in this Act shall include gasoline naptha, and other liquid motor fuels or any devices or substitutes therefor commonly used in internal combustion engines, provided that nothing contained in this Act shall apply to those products commonly known as kerosene oil, fuel oil, and crude oil used for lighting or heating purposes, nor to diesel fuel used in diesel engines. The term 'person' means and includes every person, corporation, copartnership, company agency or association singular or plural. The term 'distributor' shall include any person who shall engage in the selling of gasoline as herein defined in Cherokee County, by wholesale, in domestic trade, but shall not apply to any transaction by such distributor in interstate commerce. Term 'retail dealer' shall include any person herein defined as the distributor who is also engaged in the sale of gasoline as herein defined at any place in Cherokee County in broken quantities. The term 'storer' as used herein shall include any person who ships gasoline into Cherokee County in tank quantities and stores the same and withdraws or uses same for any purpose."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 8-26-59, 9-2-59, 9-9-59, and 9-16-59, all in the year 1959.

JOE SHAW, JR.

Sworn to and subscribed before me 9-29-59.

CHARLES A. FARMBY,
Judge of Probate.

Also:

By Mr. Jones (Covington):
H. 886. To abolish the jury board of Covington County and to create in lieu thereof a commission composed of nine members appointed by the Governor; to provide a clerk for the jury commission and to prescribe his duties and compensation; and to prescribe the functions, authority, duties, and compensation of the jury commissioners appointed hereunder.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA,
COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To abolish the jury board of Covington County and to create in lieu thereof a commission composed of nine members appointed by the Governor; to provide a clerk for the jury commission and to prescribe his duties and compensation; and to prescribe the functions, authority, duties and compensation of the jury commissioners appointed hereunder.

Be It Enacted by the Legislature of Alabama:

Section 1. The jury board of Covington County created by Act No. 37, H. 132, approved May 23, 1951 (Acts of Alabama, 1951, P. 244), is hereby abolished; and there is established in lieu thereof a commission to be composed of nine members appointed by the Governor for terms to run concurrently with his own term of office. Two members of the commission shall be appointed for each of the commissioner's districts of the county and one member shall be appointed for the county at large. The members that are appointed for the several districts must be residents and qualified electors of the districts for which they are appointed. The other member shall be a resident and qualified elector of the county.

Section 2. The clerk of the circuit court of Covington County, at his election, shall serve as clerk of the jury commission hereby created. If he fails to accept or to serve or shall resign, the commission shall name another clerk, who shall serve at the pleasure of the commission. The clerk shall file an oath of office with the judge of probate of Covington County, and the filing and recording fees thereon shall be paid from county funds. The clerk shall keep the records and minutes of the commission, and shall perform all the duties imposed by the general laws of Alabama on clerks of jury commissions. The clerk shall be paid the sum of fifty dollars ($50) each calendar year, and in addition thereto the sum of eight cents (8c) for each name that lawfully appears on the jury roll in any calendar year. The compensation of the clerk shall be paid from the general funds of the county, but the claim of the clerk for such compensation shall be approved by the president of the commission before payment.

Section 3. Except as otherwise provided herein, the jury commissioners herein provided for shall have the same function and authority, shall perform the same duties, and shall receive the same compensation as provided for jury commissioners under the general laws of this State.

Section 4. All laws or parts of laws which conflict with this Act are repealed. Act No. 37, H. 132, approved May 23, 1951 (Acts of Alabama, 1951, p 244), is expressly repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Burgess, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Opp News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appearing in the issues of said paper on August 6th, August 13th, August 20th, and August 27th, all in the year 1959.

ROBERT D. BURGESS

Sworn to and subscribed before me Sept. 14, 1959.

W. B. BENTON,
Notary Public.

Also:

By Mr. Jones (Covington):
H. 889. To amend Section 2 of an act approved August 31, 1953, providing a special fund for the payment of certain expenses incurred by the solicitor or judge of the Twenty-second Judicial Circuit (Act No. 460, H. 856, Acts of Alabama 1953, Vol 1, p. 564).

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA,
COUNTY OF COVINGTON.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Section 2 of an act approved August 31, 1953, providing a special fund for the payment of certain expenses incurred by the solicitor or judge of the Twenty-second Judicial Circuit (Act No. 460, H. 856, Act of Alabama 1953, Vol. 1, p. 564).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of the act approved August 31, 1953, providing a special fund for the payment of certain expenses incurred by the solicitor or judge of the Twenty-second Judicial Circuit (Act No. 460, H. 856, Acts of Alabama 1953, Vol. 1, p. 564) is amended to read as follows:

Section 2. The circuit solicitor of the Twenty-second Judicial Circuit, with the written approval of the chairman or president of the court of county commissioners, board of revenue, or other like county governing body, may make expenditures from the fund for the payment of all expenses necessarily incurred by him in the discharge of

the duties of his office or in promoting its welfare, including expenditures for supplies, postal service, fixtures, and facilities. Provided, that no requisition shall be made on the fund in any county of the circuit not sharing in the benefits flowing from such expenditure."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Burgess, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Opp News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 20th, Aug. 27th, Sept. 3rd, and Sept. 10th, all in the year 1959.

ROBERT D. BURGESS

Sworn to and subscribed before me September 14, 1959.

W. B. BENTON,
Notary Public.

Also:

By Mr. Owens:
H. 904. Relating to Crenshaw County; providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Crenshaw County; directing the Board of Registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in conection with reidentification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Crenshaw County is hereby directed to purge all lists of the qualified electors in Crenshaw County

to the end that the names of all who are deceased or non-residents of the county, or who have otherwise become disqualified from voting therein, shall be removed from such lists and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district and precinct in which he resides.

Section 2. The board of registrars of Crenshaw County shall omit and remove from the lists of qualified electors in the county the name of every person who fails to reidentify himself in one of the ways hereinafter provided before the first day of October, 1961. Any person removed from the list of qualified electors as herein provided shall cease to be a qualified elector until such person shall again register and qualify as an elector as provided by law for original registration.

Section 3. A voter may reidentify himself in any one of the following ways:

(a) A voter may reidentify himself by appearing person at the office of the board of registrars or the judge of probate of Crenshaw County, or before one of the duly authorized employees of the judge of probate, and answering such questions and submitting such proof as may be set forth hereinafter to establish the voter's identity and place of legal residence and that the voter has not become disqualified from voting in the county.

(b) A voter may also reidentify himself at any election at which the voter votes prior to October 1, 1961, by answering and signing the questionnaire hereinafter provided for, in the presence of a clerk, manager, inspector, or returning officer at such election who also shall sign the questionnaire as an attesting witness. The returning officer shall transmit each signed questionnaire to the judge of probate for transmittal to the board of registrars.

(c) A voter who is on active duty in the Army, Navy, or Air Force of the United States, or the husband or wife of a member of the Armed Forces on active duty, may also reidentify himself or herself by filling in and mailing to the office of the judge of probate the completed answers to such questions as are set forth in the questionnaire hereinafter detailed, and the voter's signature to such questionnaire must be witnessed by a commissioned officer of the Army, Navy, or Air Force.

(d) The questionnaire shall be insubstantially the following form:

Voters Reidentification Questionnaire

Crenshaw County, Alabama

Date:, 19.....

Name:
(First) (Middle) (Last)

Legal Residence Address:
(St. or Rt.)

City or Town:

State:

Date of Birth: Sex Color

I now vote and I am a qualified elector in Precinct or Beat No., and I have not been disqualified from voting in the county.

Signed:
(Signature of Voter)

Witnessed before me this the day of....., 19.....

.....

Registrar, Judge of Probate Election Official, Commissioned Officer U.S. Armed Forces.

Section 4. Any qualified elector of Crenshaw County who shall have his or her name omitted or removed from the list of qualified electors in the county by reason of his or her failure to reidentify himself or herself as hereinabove provided, or whose name is otherwise purged therefrom, shall be entitled to have his or her name restored to the list of qualified electors by appearing in person at the office of the board of registrars and qualifying and registering again as a voter as is now or may be hereafter provided by law.

Section 5. Any person who makes a willfully false statement in answer to the reidentification questionnaire to the board of registrars or the judge of probate or the duly authorized employees of the judge of probate or to the clerk, manager, inspector or returning officer or to the commissioned officer of the United States Army, Navy, or Air Force shall be guilty of perjury and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

Section 6. The court of county commissioners, board of revenue, or like governing body of Crenshaw County is hereby authorized and directed to furnish the board of registrars and the judge of probate the supplies, equipment, printed forms, stationery, stamps, clerical help and publicity necessary for the reidentification of voters as herein provided.

Section 7. The board of registrars of Crenshaw County shall retain as a public record in the office of the judge of probate for ten years all completed questionnaires, and shall file the same in alphabetical order showing all qualified electors registered by precincts or districts, or other subdivisions thereof, or where any precinct has been divided, or sub-divided, if not within a city or town, and by wards or other subdivisions, if within a city or incorporated town.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CRENSHAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mary F. Reeder, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Luverne Journal, a newspaper of general circulation published in Crenshaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 20, May 27, June 3, and June 10, all in the year 1959.

MARY F. REEDER

Sworn to and subscribed before me June 10, 1959.

VONCILE R. NICHOLS,
Notary Public.

Also:

By Mr. Owens:
H. 905. To provide for the payment of certain expenses of the county or deputy solicitors of all counties having a population of not less than 18,700 nor more than 19,000, according to the most recent federal decennial census.

Also:

By Mr. Franklin:
H. 909. Proposing an amendment to the Constitution of Alabama relating to the levying of special property taxes in Coosa County for school purposes.

Also:

By Mr. Steagall:
H. 910. Relating to the municipality of Ozark, in Dale County; To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Ozark, exempting annexed farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama 1901 that a bill in substance as follows will be introduced in the Legislature of Alabama and application for its enactment will be made:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city, such territory being located in Sections 3, 4, 5, 6, 7, 8, 9, and 10, Township 5, Range 24, Dale County.

THE STATE OF ALABAMA
DALE COUNTY.

Before me, the undersigned authority in and for said State and County, personally appeared John Q. Adams who, being known to me and by me first duly sworn, deposes and says as follows:

My name is John Q. Adams, I am the publisher of The Southern Star, a newspaper of general circulation in Ozark, and Dale County, Alabama; I hereby certify that the within notice was published in said paper four consecutive times on the following dates, to-wit: September 3, 1959; September 10, 1959; September 17, 1959; September 24, 1959.

Dated at Ozark, Alabama, this the 1st day of October, 1959.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me this the 1st October, 1959.

HENRY B. STEAGALL, II,
Notary Public.

Also:

By Messrs. Hocklander and Murphy:

H. 917. To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts, 1949, Page 536, entitled: "To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama during the present Regular Session and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts 1949, page 536, entitled:

"To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue and Road Commissioners of the County of Mobile commencing on October 1, 1960 and until September 30, 1962 shall pay annually out of the general fund of such county to the board, commission or other governing body duly constituted by public law, of each public library situated in any incorporated town or city, sums at least equal to Fifteen Cents ($.15) per capita of the poulation of Mobile County, in such manner as to pay to each public library situated in any incorporated town or city other than the county seat, Fifteen Cents ($.15) per capita of the population of each such incorporated town or city and to the board, commission or other governing body duly constituted by public law of each public library situated in the county seat of such county, Fifteen Cents ($.15)

per capita of the population of such incorporated town or county seat together with Fifteen Cents ($.15)) per capita of the population of other parts of the county other than incorporated towns maintaining public libraries.

That commencing October 1, 1962 and thereafter said sum of Fifteen Cents ($.15) shall be increased to Sixteen Cents ($.16).

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register 9/1.8.15.22, 1959.

A. A. JOHNSON

Sworn to and subscribed before me This 22nd day of September, 1959.

GREG L. KENNY
Notary Public.

Also:

By Messrs. Murphy and Hocklander:
H. 919. Directing the Secretary of State to transmit to the Commissioner of Licenses of Mobile County copies of all acts of the Alabama Legislature when printed in slip or pamphlet form, the bound volumes of such acts when printed for distribution in bound form, and the cumulative pocket supplements to the Code of Alabama (1940).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Directing the Secretary of State to transmit to the Commissioner of Licenses of Mobile County copies of all acts of the Alabama Legislature when printed in slip or pamphlet form, the bound volumes of such acts when printed for distribution in bound form, and the cumulative pocket supplements to the Code of Alabama (1940).

Be It Enacted by the Legislature of Alabama:

Section 1. The Secretary of State shall cause to be delivered to the Commissioner of Licenses of Mobile County copies of all acts of the Alabama Legislature when printed in slip or pamphlet form, the bound volumes of such acts when printed for distribution in bound form, and the cumulative pocket supplements to the Code of Alabama (1940). Such pamphlet acts, bound acts, and cumulative code pocket supplements shall be delivered to the Commissioner of Licenses of

Mobile County at the same time and in the same manner as they are delivered to judges of probate and other county officers under the laws of this state.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register 8/7.14.21.28 1959.

A. A. JOHNSON

Sworn to and subscribed before me This 5th day of October, 1959.

GREG L. KENNY
Notary Public.

Also:

By Messrs. Murphy and Hocklander:
H. 921. To amend the act approved August 13, 1957 (Act No. 216, H. 598, Acts of 1957, p. 273) providing for the appointment of bailiffs by the judges of the court of general sessions of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend the act approved August 13, 1957 (Act No. 216, H. 598, Acts of 1957, p. 273) providing for the appointment of bailiffs by the judges of the court of general sessions of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of the act approved August 13, 1957 (Act No. 216, H. 598, Acts of 1957, p. 273) is amended to read as follows:

"Section 1. Each judge of the Court of General Sessions of Mobile County created by an act approved March 23, 1956, is authorized and empowered to appoint, without regard to the county merit or civil service system, one bailiff for the court. Each bailiff appointed shall hold office at the will and pleasure of the judge who appoints him, and shall be paid an annual salary of not more than forty-five hundred

dollars, to be fixed by the judge. Each bailiff shall be granted a vacation with pay each year of from two to four weeks, as the appointing judge may determine. The compensation of such bailiff shall be paid from the county treasury on the certificate of the appointing judge showing that the bailiff had performed the duties assigned to him."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register 8/7.14.21.28 1959.

ALVIN A. JOHNSON

Sworn to and subscribed before me This 5th day of October, 1959

GREG L. KENNY
Notary Public.

Also:

By Mr. Ray:

H. 932. To establish the Winston County Court of Law and Equity in lieu of the court established by Act No. 242, H. 101, approved August 16, 1955 (Acts of Alabama, Regular Session 1955, vol. I, pp. 553-559); to define the jurisdiction and powers of said court, provide for its officers, their appointment, election, term of office, powers, duties, and compensation, and to provide that the court shall be open at all times for the transaction of business, and to authorize the judge to fix the time of holding sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice, and procedure, and to give such rules the force and effect of law; to abolish the court established by said Act. No. 242 of August 16, 1955, and provide for the transfer of all cases pending therein to the court hereby established.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To establish the Winston County Court of Law and Equity in lieu of the Court established by Act. No. 242, H. 101, approved August 16, 1955 (Acts of Alabama, Regular Session 1955, vol. I, pp. 553-559); to define the jurisdiction and powers of said court, provide for its officers, their appointment, election, term of office, powers, duties, and compensation, and to provide that the court shall be open at all times for

the transaction of business, and to authorize the judge to fix the time of holding sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice, and procedure, and to give such rules the force and effect of law; to abolish the court established by said Act No. 242 of August 16, 1955, and provide for the transfer of all cases pending therein to the court hereby established.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in and for Winston County a court to be known as the Winston County Court of Law and Equity. The court shall be in lieu of the court established pursuant to Act No. 242, H. 101, approved August 16, 1955 (Acts of Alabama, Regular Session 1955, vol. 1, pp. 553-559), which is hereby abolished.

Section 2. (a) The Winston County Court of Law and Equity shall be a court of record and shall have and exercise the following jurisdiction, powers, and authority:

1. It shall have exclusive jurisdiction of all matters triable in the county court under general laws.

2. It shall have unlimited jurisdiction concurrent with the circuit court of Winston County of all civil and equity matters, including the power and authority to grant divorces, either limited or absolute, to award alimony and effect property settlements in connection with such divorces, and to determine the custody of children.

3. It shall have jurisdiction concurrent with the justices of the peace of Winston County of bastardy proceedings.

4. It shall have jurisdiction of all matters, causes, cases, or proceedings involving juveniles to the same extent as juvenile courts provided for by general laws.

5. It shall have power to issue all special and extraordinary writs that the circuit courts or the judges thereof are authorized to issue, and shall have all other powers and authority that are, or that may hereafter be conferred upon the circuit courts or the judges thereof, including the power to punish for contempt, unless otherwise provided in this Act.

(b) In all civil and equity cases in which both parties to the action are present in court, either in person or by attorney, if no specific objection to the jurisdiction of the court is raised by the defendant by plea, answer or demurrer, the jurisdiction of the court shall be deemed complete and cannot thereafter be questioned in any other court for any cause.

Section 3. A judge for the Winston County Court of Law and Equity shall be elected at the general election of state officers in November 1964, and every six years thereafter, to hold office for a term of six years from the first Monday after the second Tuesday in January next following his election. The judge shall be entitled to a compensation of seven thousand two hundred dollars a year, payable in equal monthly installments from the county treasury on warrants drawn in the manner prescribed by law. The judge of the court, before entering upon the duties of the office, shall take the oath prescribed by law to be taken by judges of the circuit courts. The judge shall be a qualified elector of Winston County not less than twenty-five years of age, shall be learned in the law and shall have been licensed to practice law in the State of Alabama for at least five years next pre-

ceeding his election or appointment. The judge shall not practice law in any of the courts of this State or the United States during his term of office. The judge may be removed from office in the manner and for the causes provided by law for the removal of circuit judges. Any vacancy occurring during the term shall be filled by the Governor for the unexpired term. The incumbent judge of the court abolished by this Act shall be the judge of the Winston County Court of Law and Equity until his successor is elected and assumes office as provided in this section.

Section 4. (a) The clerk of the circuit court of Winston County shall be ex officio clerk of the Winston County Court of Law and Equity and shall have the same powers and discharge the same duties as the clerks of the circuit courts. He shall be subject to the same pains and penalties with regard to the duties of the office, shall be entitled to the same fees, commissions, and emoluments as are now, or as may hereafter be allowed the circuit clerks of Alabama, which shall be collected as such fees and commissions are collected in the circuit courts, except that in civil matters where suit is brought for 100 dollars or less, only the fees and commissions allowed by law to justices of the peace shall be collected.

(b) The register of the circuit court of Winston County shall be ex officio register for the Winston County Court of Law and Equity and shall have the powers and discharge the duties which shall devolve upon the register of the court. He shall be subject to the same pains and penalties with regard to the duties of the office, shall be entitled to the same fees and commissions as are now, or as may be hereafter allowed to the registers of circuit courts in equity, which shall be collected as such fees and commissions are collected in circuit courts.

(c) A special filing fee of 10 dollars shall be collected in each divorce case brought in the Winston County Court of Law and Equity. The fee shall be in addition to all fees, trial taxes, and court costs otherwise assessable in the court, and when collected shall be paid into the general fund of the county.

Section 5. The county or deputy solicitor appointed or elected for Winston County shall represent the state in all criminal cases prosecuted in the Winston County Court of Law and Equity.

Section 6. The sheriff of Winston County shall in person, or by deputy or deputies appointed by him, such appointments to be approved by the judge of the court, attend upon the court, preserve order, execute all writs of process and perform such other duties in all respects as in the circuit courts of the state. For such services he shall receive such compensation as he receives under the laws of the state for performing similar services in the circuit court, except as herein otherwise provided.

Section 7. The judge of the court shall appoint a competent person capable of taking down and transcribing the proceedings of the court to be the official reporter for the court. The court reporter shall serve at the pleasure of the judge. His duties shall be the same as those required by general laws of official court reporters for the circuit courts, and he shall receive the same rate of compensation for transcribing the testimony or other proceedings as it now provided for the official court reporter in the circuit courts, and shall also receive the following compensation while he is engaged in taking testimony or other proceedings of the court; five dollars for one-half day or fractional part thereof; and ten dollars for each full day, plus five cents a mile to and from the place of holding the court.

Section 8. The Winston County Court of Law and Equity shall be held at the court house in Double Springs and in Haleyville and shall be open at all times for the transaction of business. In case of sickness or disqualification of the judge of the court, a special judge shall be appointed in the same manner that special judges are appointed in the circuit courts. The judge of the court shall keep an office at such suitable place as may be provided by the court of county commissioners, board of revenue, or other like governing body of Winston County. It shall be the duty of the governing body of Winston County to provide such office and supply the same with telephone service and office supplies. Such office furniture, furnishings, fixtures, law library, and equipment as may be necessary to enable the judge of the court efficiently to conduct the affairs of his office shall be provided by the state department of finance.

Section 9. The judge of the court may determine and fix the time of holding sessions of the court for the trial of all cases, criminal, civil and equity; provided that all cases shall be called for trial at least once every thirty days. However, this section shall not be construed to prevent the continuance of any case in said court, by agreement of counsel or the parties on good cause shown the court, and when any cause is so continued to a specific time either for a cause shown to the court, or by agreement of the parties or counsel, it shall not be necessary to call said case until the expiration of the time to which it has been continued. And provided further, that the court shall have the right and power to call extraordinary session of said court whenever in the judgement of the court the same is necessary.

Section 10. All cases tried in the Winston County Court of Law and Equity shall be tried by the judge without a jury. The judge shall decide all questions of law and fact. Any party aggrieved by a decision in any civil case cognizable by justices of the peace may appeal at any time within five days after rendition of the judgments rendered by justices of the peace. In any other civil case, if the defendant is entitled to a trial by jury under the Constitution, he may demand a jury trial by endorsement on the initial pleading filed, and thereupon the clerk of the court shall transfer the cause to the circuit court. Upon such transfer, the jurisdiction of the circuit court shall attach in said cause, and the jurisdiction of the Winston County Court of Law and Equity shall cease and terminate. The cause shall then stand regularly for trial in the circuit court. Unless a defendant demands a jury as herein provided, he shall be deemed to have waived a trial by jury; and the court shall make an entry thereof on the record and shall proceed to hear and determine the case.

Section 11. Appeals from judgements of the Winston County Court of Law and Equity in law and equity cases may be taken directly to the Supreme Court or the Court of Appeals in the same manner and within the same time that appeals are now taken from judgements in such cases in the circuit courts of the state.

Section 12. Upon conviction in a criminal case, the defendant shall have the right of appeal to the circuit court of the county, on entering into bond, with sufficient surety, to appear at the term of the court to which the appeal is taken, and from term to term until discharged, the bond to be in such penalty as the judge of the court may prescribe, and to be approved by the judge or clerk of the court. If the defendant does not make the bond required, he shall remain in custody and may, within ten days after taking said appeal, demand a trial by jury in

the circuit court, otherwise, said case shall be tried by the court without a jury.

Section 13. All cases on the non-jury docket and all cases on the equity docket now or hereafter pending in the circuit court of Winston County may, by agreement of the parties thereto, be transferred from the circuit court to the Winston County Court of Law and Equity Likewise, all cases on the non-jury docket, and on the equity docket now or hereafter pending in the Winston County Court Law and Equity may by agreement of the parties thereto, be transferred from the Winston County Court of Law and Equity to the circuit court of Winston County. In all cases, non-jury and equity, now or hereafter pending in the circuit court of Winston County, wherein a judgement pending in the circuit court of Winston County, wherein judgement by default, nil dicit, or decree pro confesso has been rendered, the same may be transferred from the circuit court to the Winston County Court of Law and Equity for final judgement or decree on motion of the plaintiff or complainant. In all cases, non-jury and equity, now or hereafter pending in the Winston County Court of Law and Equity, wherein a judgement by default, nil dicit or decree pro confesso has been rendered, the same may be transferred from the Winston County Court of Law and Equity to the Circuit court, for final judgement or decree on motion of the plaintiff or complainant.

Section 14. The judge of the Winston County Court of Law and Equity shall have plenary power to adopt and enforce rules governing pleading practice and procedure in the court, including the right to prescribe forms therefor. He may adapt to the needs of the court and incorporate into the rule of the court any or all rules relative to pleading, practice and procedures in the federal courts and the courts of other states, and such rules when adopted and promulgated shall have the force and effect of law, and shall supersede conflicting rules governing pleading, practice and procedure in other courts in the state. The rules of practice and procedure in the circuit courts of the state shall govern the pleadings, practice and procedure in the court hereby established, except as herein otherwise provided.

Section 15. The judge of the Winston County Court of Law and Equity shall adopt a seal for the equity side of the court, which shall be kept in the custody and under the control of the register of the court, and also a seal for the law side of the court, which shall be kept in the custody and under the control of the clerk of the court.

Section 16. It shall be the duty of the clerk of the court to keep a record upon which shall be recorded all affidavits made before the judge or clerk of said court or returnable by a justice of the peace or judge of an inferior court in the county to the court; and if any affidavit should be lost or destroyed, a certified copy of the record shall be used the same as the original affidavit. For recording each affidavit the clerk shall receive a fee of seventy-five cents to be taxed as costs in case of the defendant's conviction.

Section 17. The jurisdiction and authority of the Law and Equity Court of Winston County, as established by Act No. 242, H. 101, approved August 16, 1955, is hereby transferred to, and shall hereafter be exercised by the Winston County Court of Law and Equity created by this Act. All cases pending in the abolished court when this Act takes effect shall be transferred immediately to the Winston County Court of Law and Equity and proceedings thereon shall continue in all respects as though such cases had been originally brought in said court.

Section 18. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 19. All laws or parts of laws which conflict with this Act are repealed.

Section 20. This Act shall take effect on the first day of the month next following the date of its enactment.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 8th day of September, 1959, and the last copy of said publication appearing in the said paper on the 29th day of September, 1959.

JAY THORNTON

Sworn and subscribed to before me this 29th day of September, 1959.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Ray:
H. 933. To amend Sections 1 and 2 of Act No. 291, H. 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and use taxes levied in the city of Haleyville, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of that city (Acts of Alabama, Regular Session 1957, vol. I, p. 369).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 2 of Act No. 291, H. 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and uses taxes levied in the city of Haleyville, Winston County, under the provisions of any ordiance or resolution duly promulgated and adopted by the governing body of that city (Acts of Alabama, Regular Session 1957, vol. I, 369)

Be It Enacted by the Legislature of Alabama:

Sections 1 and 2 of Act. No. 291, H 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and use taxes which may be levied in the city of Haleyville, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said city (Acts of Alabama, Regular Session 1957, vol I, p. 369) are hereby amended to read as follows:

"Section 1. The Department of Revenue is hereby authorized, directed, and required to collect any sales and use taxes which may be levied in the City of Haleyville, in Winston County, Alabama, under the provisions of any municipal ordinance or resolution with a levy identical to the state levy except for rate of tax, subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied under Act, No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, including the provisions for the enforcement and collection of taxes when said ordinance or resolution is duly promulgated and adopted by the governing body of the City of Haleyville and when a certified copy of said ordinance or resolution has been filed with the Department of Revenue not less than thirty days prior to the effective date of the tax levy. Such municipal sales and use taxes shall be collected by the department at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under the provisions of Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended, and all reports required to be made to the Commissioner of Revenue hereunder shall, on request to the Department of Revenue, be made available for inspection by the governing body of the City of Haleyville, or its designated agent, at reasonable times during business hours. The Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes, and shall have all the authoriy and duties hereunder as it has in connection with the collection of the State's sales and use taxes provided for by Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended. It shall be the duty of the Commissioner of Revenue to pay into the state treasury all such taxes collected for the City of Haleyville under the Act; and on or before the first day of the following month, the Commissioner shall certify to the Comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of the City of Haleyville during the calendar month immediately preceeding the making of such certificate. Whereupon it shall be the duty of the Comptroller to issue his warrant on the State Treasurer for the amount, less expenses, so certified by the Commissioner of Revenue as having been collected for the use of such city (less expenses) shall be paid to the Treasurer or other custodian of funds of the City of Haleyville. The Department of Revenue shall charge the City of Haleyville for collecting such municipal sales and use taxes the cost of making such collections provided, however, that such charge shall not exceed ten percent of the amount collected. The Comptroller shall each month draw his warrant on the funds collected hereunder payable to the Department of Revenue for the amount of such charges. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes, and otherwise to enforce the

provisions of the ordinance or resolution levying such taxes, including any litigation required, and the Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes payable to the City of Haleyville under the provisions of this Act.

"Section 2. Any municipal ordinance or resolution levying a tax required to be collected hereunder, any amendment, or addition, or other change in such ordinance or resolution shall be effective on the first day of the month next following the expiration of thirty days from the date of the adoption of such municipal ordinance or resolution provided, however, the Department of Revenue shall not be required to make any collection of taxes or otherwise perform the duties provided herein until and unless a certified copy of such ordinance or resolution, or amendment thereto, is filed with the department of Revenue not less than thirty days prior to the effective date of said ordinance, resolution, or amendment thereto."

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 8th day of September, 1959, and the last copy of said publication appearing in the said paper on the 29th day of September, 1959.

JAY THORNTON

Sworn and subscribed to before me this 29th day of September, 1959.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Guthrie:

H. 935. To provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census.

Also:

By Messrs. Edwards, Locke, Sessions, Hawkins, Rast, Morrow and Perry:

H. 913. To alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE

Notice is hereby given of intention to apply at the current regular session or any special session of the Legislature of Alabama for introduction and passage of a bill, the substance of which as distinguished from detail is and will be in substance as distinguished from detail as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extentions.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama, are, subject to the other provisions hereof hereby altered and extend so that said boundaries shall include within the corporate limits of said City all of the following described additional property not presently located in said City, to-wit:

Begin at the southwest corner of Lot 1, McCombs Addition to Killough Springs as recorded in Map Book 49, Page 86, in the Office of the Probate Judge, Jefferson County, Alabama. The said southwest corner of Lot 1, being a point on the west section line of Section 25, Township 16 South, Range 2 West; and on the present city limit line of the City of Birmingham; thence north along said west section line to the southwest corner of Section 24, Township 16 South, Range 2 West; thence east along the south line of Section 24, Township 16 South, Range 2 West, to the southeast corner of the southwest quarter of said section; thence north along the eastern line of the west one-half of Sections 24 and 13, Township 16 South, Range 2 West to the northeast corner of the southeast quarter of the southwest quarter of Section 13, Township 16 South, Range 2 West; thence west along the north line of the southeast quarter of the southwest quarter to the northwest corner of the southeast quarter of the southwest quarter; thence north along the west line of the northeast quarter of the southwest quarter and the southeast quarter of the northwest quarter of said section, to the southwest corner of the northeast quarter of the northwest quarter; thence east along the south line of the northeast quarter of the northwest quarter to the southeast corner of said quarter-quarter section; thence north along the east line of the northeast quarter of the northwest quarter of said section, and along the west line of the southeast quarter of Section 12, Township 16 South, Range 2 West to the northwest corner of the southeast quarter of said section; thence east along the northern line of the southeast quarter of said section and the north line of the northwest quarter of the southwest quarter of Section 7, Township 16 South, Range 1 West to the southwest corner of the southeast quarter of the northwest quarter of said section; thence north along the west line of the southeast quarter of the northwest quarter of said section to the northwest corner of the southeast quarter of the northwest quarter of said section; thence east along the northern line of the southeast quarter of the northwest quarter and the southwest quarter of the northeast

quarter and the southeast quarter of the northeast quarter of said section; thence continue east along the north line of the southwest quarter of the northwest quarter of Section 8, Township 16 South, Range 1 West to the northeast corner of the southwest quarter of the northwest quarter of said section; thence south along the east line of the southwest quarter of the northwest quarter of said section to the southwest corner of the southeast quarter of the northwest quarter of Section 8, Township 16 South, Range 1 West; thence east along the south line of the southeast quarter of the northwest quarter to the northeast corner of the northeast quarter of the southwest quarter of Section 8, Township 16 South, Range 1 West; thence south along the west line of the southeast quarter of Section 8, Township 16 South, Range 1 West; and the west line of the east half of Section 17, Township 16 South, Range 1 West, to the northwest corner of the northeast quarter of Section 20, Township 16 South, Range 1 West; thence east along the north line of the northeast quarter of Section 20, Township 16 South, Range 1 West, to the northeast corner of said section; thence south along the east line of Section 20, Township 16 South, Range 1 West, to the southeast corner of said section; thence west along the south line of the southeast quarter of Section 20, Township 16 South, Range 1 West, to the southwest corner of the southeast quarter of said section, said southwest corner being a point on the eastern city limits line of the City of Birmingham; then follow the said city limit line as follows: 362.5 feet north from the southwest corner of the southwest quarter of the southeast quarter of Section 20, Township 16 South, Range 1 West; thence west and parallel with the south line of said quarter-quarter section a distance of 362.7 feet; thence south 170 feet; thence northwest 563 feet; thence northeast 60 feet; thence northwest 222.6 feet to the southeast line of the old Springville Road; thence southwest along the southeast line of the old Springville Road to the west line of the southeast quarter of the southwest quarter of Section 20, Township 16 South, Range 1 West; thence south along said west line of said quarter-quarter section to the north line of Section 29, Township 16 South, Range 1 West; thence west along the north line of Section 29, Township 16 South, Range 1 West and Section 30, Township 16 South, Range 1 West to the northwest corner of the northeast quarter of the northeast quarter of Section 30, Township 16 South, Range 1 West; thence south along the west line of the northeast quarter of the northeast quarter and the southeast quarter of the northeast quarter of Section 30, Township 16 South, Range 1 West, to the northwest line of the old Springville Road; thence continue along the present northeasterly city limit line of the City of Birmingham to the point of beginning.

Section 2. Upon the filing of a certified copy of a resolution of the Commission of the City of Birmingham said resolution stating the willingness of the said City of Birmingham to the inclusion of the above described property within the corporate limits of said City, the Judge of Probate of Jefferson County, Alabama, shall make and enter an order upon the minutes of said court directing and ordering an election to be held by the qualified voters residing within the territory described, which is to be annexed to said City, said election to be held within 40 days from the entry of said order. Said election shall be held to determine whether or not a majority of the voters residing within the territory above described to be annexed to said City and who actually vote in said election favor the annexation to said City of said territory above described. Said judge shall give notice of the holding of said election by publication in a newspaper published within the City of Birmingham, which notice shall state the day on which such election is to be held, the voting place or places designated by the Chairman of the Board of Registrars of said County, the bounda-

ries within which voters must reside to vote at the respective voting places, which must be within the territory proposed to be brought into the City of Birmingham and such notice shall give a description of the territory proposed to be annexed and must state that a map of said territory is on file in the Office of the Judge of Probate of said County, open to the inspection of the public.

Section 3. The Chairman of the Board of Registrars of said County may designate as many places within the territory hereby proposed to be annexed to said City as he may determine necessary for the convenience of the voters and must designate the boundaries within which the voters must reside to vote at the respective voting places and the Election Commission of Jefferson County shall appoint three inspectors of election, two clerks and one returning officer for each voting place, which inspectors shall manage the election at the respective voting places at which they are appointed as inspectors.

Section 4. Each qualified voter who has resided within the boundaries of the territory hereby proposed to be annexed to said City for three months next preceding the election may vote at said election but must vote at the voting place designated by the Chairman of the Board of Registrars for voters in the territory in which he resides.

Section 5. Said election must be conducted in all respects as provided by the general election laws and under the same sanction and penalties, except as changed by the provisions of this Act, and except that an official ballot need not be provided nor voting machine used. There shall be no voting by absentee ballot.

Section 6. The City of Birmingham shall furnish the ballot with the following words written or printed thereon: "For annexation," and "Against annexation," It shall not be necessary for the ballot to be of any particular size, form or color.

Section 7. The inspectors at the respective voting places must, as soon as the polls are closed, ascertain and certify the results of the election at their respective voting places to the Judge of Probate of Jefferson County, at Birmingham, Alabama, and deliver the same to the returning officer, who must at once return the same to the Judge of Probate of Jefferson County, Birmingham, Alabama and said Judge must canvass the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election were "for annexation" said Judge shall make and enter an order on the records of said Probate Court of Jefferson County, at Birmingham, Alabama, recording such fact, and from the time of the entry of said order this Act shall be fully effective and the boundaries of said City of Birmingham shall be as above set forth. If it appears that a majority of the votes cast at the election are "Against Annexation" the Judge of Probate shall make and enter an order on the records of said County recording such fact, and this act shall not be effective, and the boundaries of said City shall be and remain as they were before the passage of this Act.

Section 8. The result of such election may be contested by any qualified elector voting at the election under the same provisions as are provided by general law for contesting the election of a Justice of the Peace, making the City the contestee. The City of Birmingham shall pay all costs and expenses incident to the election, except such costs and expenses incurred in an unsuccessful contest of such election, in such event said unsuccessful contestant shall pay such costs and expenses.

Section 9. The Probate Judge shall be entitled to the same fees for his services performed under the provisions hereof as he is au-

thorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them, as they are authorized by law to charge and collect for similar services rendered by them, and said City of Birmingham shall pay all costs and expenses except in the case of a contest as herein provided.

Section 10. That this Act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA,
COUNTY OF JEFFERSON.

On this 5th day of October A.D. one thousand nine hundred and Fifty Nine personally appeared before me, J. L. Roberts, a Notary Public in and for the County and State aforesaid J. B. Wilkerson who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: Sept. 14, 21, 28, Oct. 5, 1959.

Signed J. B. WILKERSON

Subscribed and sworn to before me this 5th day of October A.D. 1959,

J. L. ROBERTS,
Notary Public.

My Commission Expires Feb. 28, 1960.

Also:

By Messrs. Gilmer, Hardy and Hain:
H. 871. To amend Act No. 194 which was duly passed at the Regular Session, 1957, Legislature of Alabama, Vol. I, Acts of Alabama, Regular Session 1957, pp. 245-254, and which said Act did create and establish in Dallas County a Court known as the Dallas County Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

To amend Act. No. 194 which was duly passed at the Regular Session, 1957, Legislature of Alabama, Vol. 1, Acts of Alabama, Regular Session 1957, pp. 245-254, and which Act did create and establish in Dallas County a Court known as the Dallas County Court.

The amendment shall consist of the following: Amend present Section 2 of said Act to read as follows:

Section 2. The Dallas County Court shall have jurisdiction in all civil matters over which justices of the peace of Dallas County have jurisdiction under the general laws of the State of Alabama, concurrently with the several justices of the peace in the county; and, in addition thereto, the Court shall have jurisdiction concurrently with the Circuit Court of Dallas County, of all matters, suits and actions at laws in which the amount involved exceeds the jurisdiction of the justice of the peace, but is not more than the sum of $500.00, exclusive of the interest, costs and attorney's fees. The Court shall have original jurisdiction concurrently with the Circuit Court of Dallas County, of all misdemeanors committed in Dallas County; and it shall have preliminary jurisdiction of all felonies and of bastardy and of other criminal and quasi-criminal proceedings cognizable in justice of the peace Courts; the Dallas County Court shall have and exercise exclusive and original jurisdiction of all cases arising under Article 3 of Chapter 4 of Title 34, Code of Alabama of 1940, any provision of law to the contrary notwithstanding. The jurisdiction of the Dallas County Court shall be co-extensive with the County. Said Court shall not have jurisdiction of cases arising under the workmen's Compensation laws.

Amend said Act by adding and inserting immediately following Section 24 thereof, a new section to read as follows:

"Section 24-A. In any civil proceeding, a defendant must demur, plead or answer within fifteen days after the services of the summons, or within fifteen days after the date of receipt by the Clerk of a return receipt showing that the defendant has been served by registered mail, or within fifteen days after the period specified in an order of publication if service by publication was order and has been perfected."

30-6-13-20

THE STATE OF ALABAMA
THE COUNTY OF DALLAS

Before me, Cornelia L. Morrison, a notary public in and for said County in said State, personally appeared Henry H. Lloyd, who is known to me and who, being first duly sworn, deposes and says:

My name is Henry H. Lloyd. I am Business Manager of The Selma Times-Journal, a daily newspaper published in Selma, Dallas County, Alabama.

In conformity with Section 106 of the Constitution of the State of Alabama, The Court of County Revenues of Dallas County, Alabama has had published in The Selma Times-Journal, Selma, Alabama, a "notice" of a bill to be entitled an act to provide for an amendment to Act No. 194 which was duly passed at the Regular Session, 1957, Legislature of Alabama, Vol. 1, Acts of Alabama, Regular Session 1957, pp 245-254, and which said Act did create and establish in Dallas County a Court known as the Dallas County Court. The said notice was published once a week for four consecutive weeks and on the following dates: to-wit, August 30, September 6, September 13 and September 20, 1959. The said notice was published in its entirety and a true copy of each of said notices as published is attached hereto.

HENRY H. LLOYD,
Business Manager.

Sworn to and subscribed before me this the 28th day of September, 1959.

CORNELIA L. MORRISON,
Notary Public, Dallas County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 627 — to the Committee on Finance and Taxation

H. B.'s 842, 841, 870, 886, 889, 904, 905, 909, 910, 917, 919, 921, 932, 933, 935, 913 and 871 — to the Committee on Local Legislation

(The bill, H. B. 909, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Callahan, Hanby, Dodd, Jenkins, Cabiness, Branyon, Hearn, McClendon (Chambers), Daniel, Jones (Monroe), Johnston (Leonard), Bishop, Bailey, Chambers, Meade, Ramey, Albea, Sullivan, McLendon (Bullock), Jones (Covington), Brewer, Speaks, Rozelle, Glass, Cook, Bevill, Cates, Johnson (Hardaway), Salter, Phillips, Harris, Solomon, Rogers, Copeland, Hankins, Britton, Oden, Ashworth, Reynolds (Madison), Trimmier, Thomas, Locke, Self, Hain, Turnham, Hardy, Avery, Harvey, Faulk, Gilmer, Grouby, Taylor, Broadfoot, Smith (St. Clair), Roberts, Brannan, Powell, Grant, Ferguson, Nettles, Merrill, Reynolds (Chambers), Adams (Houston), Hocklander, Rast, Nichols, Gilchrist, Martin, Barnett, Long (Perry), Owens, and Long (Lauderdale):

H. 763. To make additional appropriations to The Board of Trustees of the University of Alabama, for mental health purposes, including payment of salaries of professional and related personnel in the Department of Psychiatry of the Medical College of Alabama, operation of the out-patient Mental Health Clinic of said college, payment of stipends and scholarships to trainees in the field of psychiatry, and hospitalization of medically indigent mental patients in University Hospital and Hillman Clinics.

Also:

By Messrs. Callahan, Hanby, Dodd, Jenkins, Cabiness, Branyon, Hearn, McClendon (Chambers), Jones (Monroe), Johnston (Leonard), Daniel, Bishop, Bailey, Chambers, Albea, Ramey, Meade, Sullivan, McLendon (Bullock), Brewer, Speakes, Jones (Covington), Rozelle, Glass, Cook, Bevill, Cates, Salter, Phillips, Harris, Solomon, Rogers, Copeland, Hankins, Oden, Britton, Ashworth, Reynolds (Madison), Trimmier, Locke, Self, Hain, Turnham, Hardy, Avery, Harvey, Faulk, Gilmer, Grouby, Taylor, Broadfoot, Brannan, Powell, Smith (St. Clair), Grant, Ferguson, Nettles, Merrill, Reynolds (Chambers), Adams (Houston), Hocklander, Rast, Nichols, Gilchrist, Martin, Barnett, Long (Perry), Owens and Long (Lauderdale):

H. 764. To make additional appropriations to the state institutions for the mentally ill and the mentally deficient for the two fiscal years ending September 30, 1960, and September 30, 1961, such appropriations to be paid from the Alabama Special Mental Health Fund.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 763 and 764 — to the Committee on Finance and Taxation

MOTION TO ADJOURN LOST

At 6:17 P.M., Mr. Roberts moved that the Senate adjourn until Friday, October 30, 1959, at 10 o'clock A.M., which motion was lost.

Yeas 8; Nays 15.

Yeas:

Messrs.:	Graham	Leonard	Shelton	
Eddins	Green	Roberts	Webb	
Gaither				—8

Nays:

Messrs.:	Cooper	Farmer	Robison	
Andrews	Crawford	Godfrey	Rutledge	
Archer	deGraffenried	Haltom	Turner	
Caffey	Dumas	Hines	Wilson	
				—15

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Corquodale:
H. 941. Relating to Clarke County; creating the office of Second Special Deputy Sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such Second Special Deputy.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that enactment of a local law by the Legislature of Alabama will be sought, which local law will be substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Clarke County; creating the office of Second Special Deputy Sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such Second Special Deputy.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the office of second special deputy sheriff for Clarke County, which deputy shall be in addition

to the deputies now provided by law. The second special deputy sheriff provided for herein shall be appointed by the Sheriff, shall serve at his pleasure, and shall perform the duties of Deputy Sheriff of Clarke County, and such other duties connected with the office of Sheriff as the Sheriff shall assign to him.

Section 2. The second Special Deputy Sheriff provided for by this act shall be paid a salary which shall be fixed by the governing body of Clarke County, at not less than two hundred fifty dollars ($250.00), nor more than three hundred fifty dollars ($350.00) per month, payable monthly. The governing body of Clarke County is hereby authorized and directed to draw warrants each month on the County Treasurer in favor of the second Special Deputy Sheriff for the preceding month's work, on the certification of the Sheriff that such work has been performed, in the amount fixed by said governing body as hereinabove prescribed, which warrants shall be paid out of the General Fund of the County.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. A. Carleton, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Publisher of the Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 17, Sept. 24, Oct. 1, and Oct. 8, all in the year 1959.

G. A. CARLETON.

Sworn to and subscribed before me October 8, 1959.

HAZEL KEEN,
Notary Public.

Also:

By Mr. McCorquodale:

H. 942. To amend Section 2 of Act No. 64, S. 11, approved April 13, 1955, entitled "An act relating to Clarke County; creating the office of Special Deputy Sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such Special Deputy," (Acts of the 1955 second extraordinary session, Vol. 1, Page 175.)

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that enactment of a local law by the Legislature of Alabama will be sought which local law will be substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 64, S. 11, approved April 13, 1955, entitled "An act relating to Clarke County; creating the office of Special Deputy Sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such Special Deputy," (Acts of the 1955 second extraordinary session, Vol. 1, Page 175.)

Be It Enacted by the Legislature of Alabama:

Section. 1. Section 2 of Act No. 64, S. 11, approved April 13, 1955, entitled "An act relating to Clarke County; creating the office of Special Deputy Sheriff; and providing for the appointment, duties, salary, and manner of payment of such Special Deputy," (Acts of the 1955 second extraordinary session, Vol. 1, Page 175) is amended to read as follows:

"The Special Deputy Sheriff provided for by this act shall be paid a salary which shall be fixed by the governing body of Clarke County, at not less than two hundred fifty dollars ($250.00), nor more than three hundred fifty dollars ($350.00) per month, payable monthly. The governing body of Clarke County is hereby authorized and directed to draw warrant each month on the County Treasurer in favor of the Special Deputy Sheriff for the preceding month's work, on the certification of the Sheriff that such work has been performed, in the amount fixed by said governing body as hereinabove prescribed, which warrants shall be paid out of the General Fund of the County."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. A. Carleton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 17, Sept. 24, Oct. 1, and Oct. 8, all in the year 1959.

G. A. CARLETON.

Sworn to and subscribed before me October 8, 1959.

HAZEL KEEN,
Notary Public.

Also:

By Messrs. Adams (Tallapoosa) and Johnson (J. T. Tom):

H. 980. To alter, rearrange and describe the boundary lines and corporate limits of the city of Alexander City, Tallapoosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

TO ALL WHOM IT MAY CONCERN:

Notice is hereby given that the following local bill will be introduced in the regular session of the Legislature of Alabama at the first opportunity:

AN ACT

TO ALTER, REARRANGE AND DESCRIBE THE BOUNDARY LINES AND CORPORATE LIMITS OF THE CITY OF ALEXANDER CITY, TALLAPOOSA COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this act the boundary line and corporate limits of Alexander City, Tallapoosa County, Alabama are extended, altered and rearranged so as to include in the corporate limits of the City of Alexander City, Tallapoosa County, Alabama all the property within the following described boundary, to-wit: Begin at the southwest corner of Section 12, T/S 22 N, Range 21 E Tallapoosa County, Alabama; thence run east along the southern boundary of said section to the southeast corner of said section; thence north along the east boundary line of said Section 12, and Section 1, T/S 22 N, Range 21 E to a point where said section line intersects the north property line of the Central of Georgia Railroad; thence run in northwesterly direction along said right of way line to a point 10 feet south of the northern boundary line of Section 2, T/S 22 N, Range 21 E; thence west to a point 10 feet west of the west right of way line of the Central of Georgia Railroad; thence run northwest paralleling the western right of way line of said railroad to a point in the center of Sixth Street, Alexander City, Alabama; thence run in a westerly direction along the center line of Maple street a distance of 517 feet to the intersection with the center line of Iris Avenue; thence westerly along the center line of Iris Avenue a distance of 1164 feet to the intersection with the center line of Pine Street; thence northeasterly along the center of Pine Street to intersection with center line of Lakeland Avenue; thence run in a northeasterly direction 796 feet to iron corner on the west right of way line of the Central of Georgia Railroad. thence run in a southeasterly direction along the west property line of said railroad to a point where the said west right of way line intersects the northern boundary line of section 2, T/S 22 N, Range 21E; thence east along the northern boundary of said section 2 a distance of 500 ft. to a corner; thence S. 710 ft. to a point which is 10 ft. N. of the easterly property line of the Central of Georgia Railroad right of way; thence run in a southeasterly direction paralleling the right of way of the Central of Georgia Railroad to a point on the eastern boundary of Section 1, T/S 22N, Range 21 E; thence N. along the east boundary of said section 1 to the NE corner of said section; thence W. along the N. boundary of said section 1 to the NW corner of the NE quarter of Section 1, T/S 22N, Range 21E; thence N. along the half section line of section 36, T/S 23N, Range 21 E; to the NW corner of the SE¼ of said section; thence E. 1320 ft.; thence N. along the forty line 2640 ft. to the N. side of said section; thence W. 660 ft.; thence N. 1320 ft.; thence W. 660 ft to the NW corner of SW¼ of SE¼ section 25, T/S 23 N, Range 21 East; thence N. along the half section line to the NW corner of the NE quarter of Section 24, T/S 23N, Range 21 E; thence W. along the N. Boundaries of Sections 24 & 23 to the NW corner of Section 23, T/S 23N, Range 21 E; thence S. along the W. boundary of said section

23 to the SW corner of the NW quarter of said section 23; thence W. along the half section line of Sections 22, 21, 20, & 19, T/S 23N, Range 21 E. to the NW corner of the NE¼ of SE¼ of Section 19 T/S 23 N, Range 21 E.; thence due S. through Sections 19, 30, & 31 T/S 23N, Range 21 E. and Sections 6 & 7 T/S 22N, Range 21 E. to the SW corner of the NE quarter of NE quarter of Section 7, T/22N, Range 21E; thence E along said forty line to where the same intersects the W. right of way line of Ala. Highway No. 22, known as the Rockford Road; thence run in a northeasterly direction along the said right of way line of Alabama Highway 22 to the point where the same intersects the center line of Old Russell Road; thence NE along the said Highway right of way 1080 ft. to a point; thence in a northwesterly direction paralleling Mira Road, & 150 ft. from the center line thereof, to a point 10 ft. south of southwestern right of way line of the Central of Georgia Railroad; thence run northwesterly parallel with said railroad right of way to a point on the center line of Mira Road, formerly U. S. 241 By-Pass road, thence run SW at right angles to the said railroad right of way a distance of 500 ft. to a point; thence run in a northwesterly direction parallel with the right of way of the Central of Georgia railroad a distance of 4800 feet to a point; thence make a 90 degree turn to the right and run 510 feet to a point on the western right of way line of the Central of Georgia Railroad; thence run in southerly direction following the west and south right of way line of the Central of Georgia Railroad to a point where the same intersects the center line of Elkahatchee Street; thence South 30 degrees 19' East along center of Elkahatchee Street a distance of 183.55 feet thence continuing along the center line of Elkahatchee Street South 22 degrees 35' East 133.4 feet and South 10 Degrees 10' East 90.2 feet and South 5 degrees 4' East 1408.6 feet and South 6 degrees 10' East 860 feet to a corner; thence run South 87 degrees 11' West a distance of 702.4 feet to a point; thence South 85 degrees 16' West 546.6 feet to a point; thence South 87 degrees 44' West 643.87 feet to a point; thence North 86 degrees 52' West a distance of 188.22 feet to a point and the center of the New (1959) Russell Road; thence South 51 degrees 07' West along said road a distance of 981.27 feet to a point; thence south 88 degrees 2' West a distance of 1061.65 feet to the intersection of New Russell Road with Old Highway 241 By-Pass; thence South 6 degrees 31' East a distance of 191.2 feet to the east right of way line of U. S. Highway 280 By-Pass; thence North 49 degrees 15' West along said By-Pass 579.9 feet to its intersection with the South right of way line of Alabama Highway No. 22; thence in a southwesterly direction along the right of way of said Highway 22 to its intersection with the south boundary line of the NE¼ of NE¼ Section 7, T/S 22 N, Range 21 East; thence run east along said forty line and across Section 8, 9, and 10 to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 11, T/S 22 N, Range 21 East; thence South along the West boundary of Section 11, T/S 22 N, Range 21 E to the southwest corner of said section; thence run east along the southern boundary of said section 1 to the point of beginning.

Section 2. That all laws and parts of laws, both general, special and local, in conflict with this Act, be and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 11, Sept. 18, Sept. 25, and October 2, all in the year 1959.

J. C. HENDERSON.

Sworn to and subscribed before me 3 of October, 1959.

T. C. WOLSONCROFT,
Notary Public.

My commission expires May 14, 1963.

Also:

By Mr. Phillips:
H. 985. To alter, rearrange and extend the boundaries and corporate limits of the town of Butler, Choctaw County, so as to incorporate within the town certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the town of Butler, Choctaw County, so as to incorporate within the town certain additional territory.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Butler, Choctaw County, are hereby altered, rearranged, and extended so as to incorporate within the boundaries and corporate limits of said town the following described lands lying and being in Choctaw County, to wit:

Entire NW¼; W½ of NE¼; all in Section 17, Township 13 North, Range 2 West.

S½ of NW¼; W½ of SW¼; all in Section 13, Township 13 North, Range 3 West.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Matt L. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 24, October 1, October 8, and October 15, all in the year 1959.

MATT L. BLOUNT.

Sworn to and subscribed before me October 15, 1959.

JANICE W. BLOUNT,
Notary Public.

Also:

By Mr. Jones (Covington):
H. 986. To provide additional compensation or salary for the Official Court Reporter of the 22nd Judicial Circuit and providing for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A LOCAL BILL

Notice is hereby given that a local bill in substantially the following form will be introduced in the present session of the Legislature:

A BILL
TO BE ENTITLED
AN ACT

To provide additional compensation or salary for the Official Court Reporter of the 22nd Judicial Circuit and providing for the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Official Court Reporter of the Twenty-second Judicial Circuit of Alabama appointed and holding office under the provisions of law applicable thereto shall, in addition to the salary fixed and provided to be paid to said Court Reporter under the provisions of Act No. 294, H. 212 (Acts of Alabama 1957, P. 376), receive as additional salary or compensation the sum of twenty-four hundred dollars per annum which shall be payable in monthly installments by Covington County out of its general fund unless otherwise ordered as hereinafter provided.

Section 2. The Board of Revenue or other governing body of Covington County may, in its discretion, from time to time pay, or order to be paid said additional salary or compensation or any part thereof from the fine and forfeiture fund of said county, provided however

that such payments from said fund shall not be made when the balance in said fund shall have reached two thousand dollars or below, or if lawfully presented and outstanding claims against said fund will reduce the balance in said fund to two thousand dollars or below.

Section 3. In the event the Legislature of Alabama shall hereafter by general act or general act of local application provide for an increase of salary for Official Court Reporters which would result in an increase of salary, apart from the provisions of this act, as now authorized to be paid to the Official Court Reporter of Covington County, then in that event the additional salary or compensation herein authorized and fixed shall be abated or reduced by the amount of such increase.

Section 4. No provision of this act shall be construed as altering, amending or repealing Act No. 294, H. 212 (Acts of Alabama 1957, P. 376) except as herein specifically provided, but otherwise all laws or parts of laws, general, special, or local, which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News who being duly sworn, says that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: Sept. 24, Oct. 1, Oct. 8, Oct. 15, 1959.

This the 15th day of October, 1959.

ED DANNELLY.

Sworn to and subscribed before me this 15th day of October, 1959.

LORA JONES,

Notary Public.

Also:

By Messrs. Bailey, Pierce, Goodwyn and Goldthwaite:

H. 987. To alter, rearrange and extend the boundaries of the City of Montgomery, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City of Montgomery, Alabama, certain additional territory lying within the following described boundaries, to-wit:

Beginning at the common corner of Sections 27, 28, 33 and 34, all in Township 16 North, Range 18 East, thence North 00 degrees-16' East along the East line of Section 28 a distance of 816.4 feet; thence North 88 degrees-05' West a distance of 1092.5 feet; thence South 08 degrees-18' West a distance of 401.4 feet; thence North 84 degrees-53' West 598.75 feet to the East side of Fisk Road; thence West parallel with the South line of Section 28 to the West side of Fisk Road; thence Northeasterly along the West line of Fisk Road and along the Northerly extension of the West line of Fisk Road to the North line of the Troy Highway; thence Easterly along the North line of the Troy Highway to its point of intersection with the East-West half section line of Section 27; thence East along said half section line to the center of Section 27; thence turning and running South along the North-South half section line of Section 27 to the Southeast corner of the SW¼ of said Section 27; thence turning and running West along the South line of Section 27 to the Southwest corner thereof, the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, T. A. Hardy, a Notary Public in and for said State and County, personally appeared Inez Woodson for The Advertiser Company, Inc., publishers of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery, and State of Alabama, who, being by me first duly sworn, deposes and says on oath that the attached is a true copy of a "Legal Notice" which appeared in the regular editions of said newspapers published in said City and County of Montgomery on Sept. 23, 30 and Oct. 7 and 14, 1959.

INEZ WOODSON.

Sworn to and subscribed before me, this the 14 day of October, 1959.

T. A. HARDY,
Notary Public.

Also:

By Mr. Cates:

H. 988. To abolish the fine and forfeiture fund of Shelby County; to provide for the payment of all fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

A BILL
TO BE ENTITLED
AN ACT

To abolish the fine and forfeiture fund of Shelby County; to provide for the payment of all fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

Be It Enacted by the Legislature of Alabama:

Section 1. Hereafter, all fines and forfeitures paid in, or for the use and benefit of, Shelby County in the manner prescribed by law shall be deposited into the general fund of said county, and the previously existing fine and forfeiture fund of the county is hereby abolished. Any balance remaining in said fine and forfeiture fund on the effective date of this act shall be transferred to the general fund of the county and all previously registered claims, or other proper claims, heretofore payable from the fine and forfeiture fund of the county shall thereupon become chargeable against and payable from the general fund of the county, subject to the conditions of this act.

Section 2. The claims of state witnesses, witnesses before the grand jury of the county, and of the officers of the court in criminal cases heretofore payable from the fine and forfeiture fund of Shelby County shall, upon the passage and approval of this act, hereafter be paid from the general fund of said county.

Section 3. All persons holding claims against the fine and forfeiture fund of Shelby County upon the effective date of this act shall present the same to the county treasurer or county depository, as the case may be, for registration within twelve months following the passage of such act, or the same will be barred, and all claims hereafter accruing against the general fund of the county which, but for the provisions of this act, would be payable from the previously existing fine and forfeiture fund of the county, shall be presented to the county treasurer or county depository, as the case may be, for registration within twelve months following the accrual of such claim, or the same will be barred.

Section 4. Any person who appears as a witness for the state in any criminal case, or in any proceeding before the grand jury of the county, and who procures a certificate of attendance signed by the clerk of the court or the foreman of the grand jury shall be entitled to have such certificate paid out of the general fund of the county immediately upon the presentation thereof in the same manner as jurors' certificates are paid, and all amounts subsequently received by such county from any source in the form of witness fees for witnesses paid in this manner shall be credited to the general fund of the county.

Section 5. All laws or parts of laws, local, special or general, and particularly Act No. 61, Second Special Session 1959, approved August 12, 1959, are hereby repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Luther Fowler, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Shelby County Reporter, a newspaaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 24, Oct. 1, 8, and 15, all in the year 1959.

LUTHER FOWLER.

Sworn to and subscribed before me Oct. 16, 1959.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Messrs. Albea and Merrill:

H 998 To alter, extend and rearrange the boundary lines and corporate limits of the City of Piedmont in Calhoun County, so as to annex certain territory to the city.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CALHOUN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and rearrange the boundary lines and corporate limits of the City of Piedmont in Calhoun County, so as to annex certain territory to the city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Piedmont in Calhoun County, Alabama, are hereby altered, extended, and rearranged so that all of the lands hereinafter described not heretofore being embraced in the limits of such city and any and all other territory presently embraced therein will lie and be within the boundaries and corporate limits of such city:

Beginning at the southwest corner of the Southwest Quarter of Section 6, Township 13 South, Range 10 East, in Calhoun County, Alabama; running thence north along the west line of said "Forty" to the northwest corner thereof; thence east along the north line of the said "Forty" and continuing east along the north line of the southeast quar

ter of the southwest quarter of Section 6, Township 13, Range 10, to the northeast corner of said "Forty;" thence south along the east line of said "Forty" to the northeast corner of the east one-half (E ½) of the northwest quarter and continuing south along the east line of the said east half (E ½) of the northwest quarter to the north boundary of the right-of-way of the Piedmont-Jacksonville Highway; thence with and along the said right-of-way westerly to a point where said highway right-of-way line intersects the Cherokee-Creek Indian boundary line, which is the south line of the east one-half (E ½) of the northwest quarter of said Section 6; thence westerly along said Indian boundary line 341.9 feet to the southwest corner of the east one-half (E ½) of the northwest quarter of said Section 6; thence north along the west line of said east one-half (E ½) of northwest quarter to the southeast corner of the southwest quarter of the southwest quarter of said Sec. 6, Township 13, Range 10 E.; thence west along the south line of the said quarter to the point of beginning.

All of the foregoing property being situated in Section 6, Township 13 South, Range 10 East and in Calhoun County, Alabama.

Also, fractional Lots Eighteen (18), Twenty-three (23) and Twenty-four (24) in fractional Section Thirty-one (31), Township Twelve (12) Range 10 (10) in Calhoun County, Alabama. There is excepted from the foregoing all the property lying within the present city limits of the City of Piedmont. There is also excepted a triangular strip of land containing two and one-half (2½) acres, more or less, situated on the south side of the Piedmont-Gadsden Highway out of the southwest corner of the said Lot 23.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Austin Johnson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Piedmont Journal, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 18, Sept. 25, Oct. 2, and Oct. 9, all in the year 1959.

AUSTIN JOHNSON.

Sworn to and subscribed before me 10-12-59.

ANTHONY F. TAYLOR,
Notary Public.

Also:

By Messrs. Perry, Locke, Morrow, Edwards, Rast, Sessions, Hawkins:

H. 983. To amend Section 1 of Act Number 65 H. 138 approved April 5, 1956, (Acts of Alabama Special Session 1956, page 357, entitled, "To provide that the Recorder's Court of any city having a population of 300,000 inhabitants or more according to the last or any

subsequent Federal census trying any person for violation of an ordinance of such city making it unlawful to engage in or conduct a lottery, to possess lottery paraphernalia, to possess gaming paraphernalia, to engage in bookmaking, to accept bets on horse racing or other sporting events, to conduct a house of prostitution, to possess, sell, give away or display obscene pictures, prints, drawings or literature, or to molest children shall upon the conviction of such person, have the power and authority to impose a fine not exceeding three hundred dollars upon such person and to sentence him to hard labor upon the streets or public works, or in the workhouse or house of corrections of such city for not exceeding six months; to provide that this Act shall be cumulative and the power and authority hereby granted to any such Recorder's Court shall be in addition to any power and authority which such court may have under any other law either general or local.

Also:

By Messrs. Sessions, Morrow, Edwards, Rast, Perry, Locke, and Hawkins:

H. 989. To alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the current regular session of the Legislature of Alabama for introduction and passage of a bill, the substance of which as distinguished from detail is and will be in substance as distinguished from detail as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter and extend the boundaries o the City of Birmingham to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Birmingham, in Jefferson County, State of Alabama, are, subject to the other provisions hereof hereby altered and extended so that said boundaries shall include within the corporate limits of said City all of the following described additional property not presently located in said City, to-wit:

Begin at the southwest corner of Section 20, Township 16 South, Range 1 West; thence north along the west line of said section to the northwest corner of Section 20, Township 16 South, Range 1 West; thence east along the north line of Section 20, Township 16 South. Range 1 West to the Northeast corner of said section; thence south along the east line of said Section 20, Township 16 South, Range 1 West to the southeast corner of said section; thence west along the south line of Section 20, Township 16 South, Range 1 West to the southwest corner of the southeast quarter of said section, said southwest corner being a point on the eastern city limit line of the City of Birmingham; thence follow the said city limit line as follows 362.5 feet north from said

quarter section corner; thence west and parallel with the south line of Section 20, Township 16 South, Range 1 West a distance of 362.7 feet; thence south 170 feet; thence northwest 563.0 feet; thence northeast 60.0 feet; thence northwest 222.6 feet to the southeast line of the Old Springville Road; thence southwest along the southeast line of the Old Springville Road to the west line of the southeast quarter of the southwest quarter of said section; thence south along said west line of said quarter-quarter section to the south line of Section 20, Township 16 South, Range 1 West; thence west along said south line of said section to the southwest corner of said section, said corner being the point of beginning.

Section 2. Upon the filing of a certified copy of a resolution of the Commission of the City of Birmingham said resolution stating the willingness of the City of Birmingham to the inclusion of the above described property within the corporate limits of said City, the Judge of Probate of Jefferson County, Alabama, shall make and enter an order upon the minutes of said court directing and ordering an election to be held by the qualified voters residing within the territory described, which is to be annexed to said City, said election to be held within 40 days from the entry of said order. Said election shall be held to determine whether or not a majority of the voters residing within the territory above described to be annexed to said City and who actually vote in said election favor the annexation to said City of said territory above described. Said judge shall give notice of the holding of said election by publication in a newspaper published within the City of Birmingham, which notice shall state the day on which such election is to be held, the voting place or places designated by the Chairman of the Board of Registrars of said County, the boundaries within which voters must reside to vote at the respective voting places, which must be within the territory proposed to be brought into the City of Birmingham and such notice shall give a description of the territory proposed to be annexed and must state that a map of said territory is on file in the Office of the Judge of Probate of said County, open to the inspection of the public.

Section 3. The Chairman of the Board of Registrars of said County may designate as many places within the territory hereby proposed to be annexed to said City as he may determine necessary for the convenience of the voters and must designate the boundaries within which the voters must reside to vote at the respective voting places and the Election Commission of Jefferson County shall appoint three inspectors of election, two clerks and one returning officer for each voting place, which inspectors shall manage the election at the respective voting places at which they are appointed as inspectors.

Section 4. Each qualified voter who has resided within the boundaries of the territory hereby proposed to be annexed to said City for three months next preceding the election may vote at said election but must vote at the voting place designated by the Chairman of the Board of Registrars for voters in the territory in which he resides.

Section 5. Said election must be conducted in all respects as provided by the general election laws and under the same sanction and penalties, except as changed by the provisions of this Act, and except that an official ballot need not be provided. There shall be no voting by absentee ballot.

Section 6. Each voter may furnish his own ballot with the following words written or printed thereon: "For annexation", if he desires to vote in favor of annexing the territory to the City, or "Against an-

nexation" if he desires to vote against annexing the territory to the City. It shall not be necessary for the ballot to be of any particular size, form or color.

Section 7. The inspectors at the respective voting places must, as soon as the polls are closed, ascertain and certify the results of the election at their respective voting places to the Judge of Probate of Jefferson County, at Birmingham, Alabama, and deliver the same to the returning officer, who must at once return the same to the Judge of Probate of Jefferson County, Birmingham, Alabama, and said Judge must canvass the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election were "for annexation" said Judge shall make and enter an order on the records of said Probate Court of Jefferson County, at Birmingham, Alabama, recording such fact, and from the time of the entry of said order this Act shall be fully effective and the boundaries of said City of Birmingham shall be as above set forth. If it appears that a majority of the votes cast at the election are "against annexation" the Judge of Probate shall make and enter an order on the records of said County recording such fact, and this act shall not be effective, and the boundaries of said City shall be and remain as they were before the passage of this Act.

Section 8. The result of such election may be contested by any qualified elector voting at the election under the same provisions as are provided by general law for contesting the election of a Justice of the Peace, making the City the contestee. The City of Birmingham shall pay all costs and expenses incident to the election, except such costs and expenses incurred in an unsuccessful contest of such election, in such event said unsuccessful contestant shall pay such costs and expenses.

Section 9. The Probate Judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them, as they are authorized by law to charge and collect for similar services rendered by them, and said City of Birmingham shall pay all costs and expenses except in the case of a contest as herein provided.

Section 10. That this Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JEFFERSON, ss:

On this 15 day of October A. D. one thousand nine hundred and Fifty Nine personally appeared before me, J. L. Roberts, a Notary Public in and for the County and State aforesaid J. P. Wilkerson, who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: Sept. 24, 1959, Oct. 1, 8, 15, 1959.

J. B. WILKERSON.

Subscribed and sworn to before me this 15 day of October A. D. 1959.

J. L. ROBERTS,
Notary Public.

My Commission Expires Feb. 28, 1960.

Also:

By Messrs. Sessions, Morrow, Edwards, Rast, Perry, Locke, and Hawkins:

H. 992. To alter and extend the boundaries of the City of Birmingham to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the current regular session of the Legislature of Alabama for introduction and passage of a bill, the substance of which as distinguished from detail is and will be in substance as distinguished from detail as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama, are, subject to the other provisions hereof hereby altered and extended so that said boundaries shall include within the corporate limits of said City all of the following described additional property not presently located in said City, to-wit:

Begin at the southwest corner of Lot 1, McCombs Addition to Killough Springs as recorded in Map Book 49, page 86, in the Office of the Probate Judge, Jefferson County, Alabama. The said southwest corner of Lot 1 being a point on the west section line of Section 25, Township 16 South, Range 2 West; and on the present city limit line of the City of Birmingham; thence north along said west section line to the southwest corner of Section 24, Township 16 South, Range 2 West; thence east along the south line of Section 24, Township 16 South, Range 2 West, to the southeast corner of the southwest quarter of said section; thence north along the eastern line of the west one-half of Sections 24 and 13, Township 16 South, Range 2 West to the northeast corner of the southeast quarter of the southwest quarter of Section 13, Township 16 South, Range 2 West; thence west along the north line of the southeast quarter of the southwest quarter to the northwest corner of the southeast quarter of the southwest quarter; thence north along the west line of the northeast quarter of the southwest quarter and the southeast quarter of the northwest quarter of said section to the southwest corner of the northeast quarter of the northwest quar-

ter; thence east along the south line of the northeast quarter of the northwest quarter to the southeast corner of said quarter-quarter section; thence north along the east line of the northeast quarter of the northwest quarter of said section, and along the west line of the southeast quarter of Section 12, Township 16 South, Range 2 West to the northwest corner of the southeast quarter of said section; thence east along the northern line of the southeast quarter of said section and the north line of the northwest quarter of the southwest quarter of Section 7, Township 16 South, Range 1 West to the southwest corner of the southeast quarter of the northwest quarter of said section; thence north along the west line of the southeast quarter of the northwest quarter of said section to the northwest corner of the southeast quarter of the northwest quarter of said section; thence east along the northern line of the southeast quarter of the northwest quarter and the southwest quarter of the northeast quarter and the southeast quarter of the northeast quarter of said section; thence continue east along the north line of the southwest quarter of the northwest quarter of Section 8, Township 16 South, Range 1 West to the northeast corner of the southwest quarter of the northwest quarter of said section; thence south along the east line of the southwest quarter of the northwest quarter of said section to the southwest corner of the southeast quarter of the northwest quarter of Section 8, Township 16 South, Range 1 West; thence east along the south line of the southeast quarter of the northwest quarter to the northeast corner of the northeast quarter of the southwest quarter of Section 8, Township 16 South, Range 1 West; thence south along the west line of the southeast quarter of Section 8, Township 16 South, Range 1 West; and the west line of the east half of Section 17, Township 16 South, Range 1 West, to the northwest corner of the northeast quarter of Section 20, Township 16 South, Range 1 West; thence west along the north line of Section 20, Township 16 South, Range 1 West to the northwest corner of said section; thence south along the west line of said section to the southwest corner of said Section 20 and the present city limits line of the City of Birmingham; thence west along the said city limits line to the point of beginning.

Section 2. Upon the filing of a certified copy of a resolution of the Commission of the City of Birmingham said resolution stating the willingness of the said City of Birmingham to the inclusion of the above described property within the corporate limits of said City, the Judge of Probate of Jefferson County, Alabama, shall make and enter an order upon the minutes of said court directing and ordering an election to be held by the qualified voters residing within the territory described, which is to be annexed to said City, said election to be held within 40 days from the entry of said order. Said election shall be held to determine whether or not a majority of the voters residing within the territory above described to be annexed to said City and who actually vote in said election favor the annexation to said City of said territory above described. Said judge shall give notice of the holding of said election by publication in a newspaper published within the City of Birmingham, which notice shall state the day on which such election is to be held, the voting place or places designated by the Chairman of the Board of Registrars of said County, the boundaries within which voters must reside to vote at the respective voting places, which must be within the territory proposed to be brought into the City of Birmingham and such notice shall give a description of the territory proposed to be annexed and must state that a map of said territory is on file in the Office of the Judge of Probate of said County, open to the inspection of the public.

Section 3. The Chairman of the Board of Registrars of said County may designate as many places within the territory hereby proposed

to be annexed to said City as he may determine necessary for the convenience of the voters and must designate the boundaries within which the voters must reside to vote at the respective voting places and the Election Commission of Jefferson County shall appoint three inspectors of election, two clerks and one returning officer for each voting place, which inspectors shall manage the election at the respective voting places at which they are appointed as inspectors.

Section 4. Each qualified voter who has resided within the boundaries of the territory hereby proposed to be annexed to said City for three months next preceding the election may vote at said election but must vote at the voting place designated by the Chairman of the Board of Registrars for voters in the territory in which he resides.

Section 5. Said election must be conducted in all respects as provided by the general election laws and under the same sanction and penalties, except as changed by the provisions of this Act, and except that an official ballot need not be provided. There shall be no voting by absentee ballot.

Section 6. Each voter may furnish his own ballot with the following words written thereon: "For annexation," if he desires to vote in favor of annexing the territory to the City, or "Against annexation" if he desires to vote against annexing the territory to the City. It shall not be necessary for the ballot to be of any particular size, form or color.

Section 7. The inspectors at the respective voting places must, as soon as the polls are closed, ascertain and certify the results of the election at their respective places to the Judge of Probate of Jefferson County, at Birmingham, Alabama, and deliver the same to the returning officer, who must at once return the same to the Judge of Probate of Jefferson County, Birmingham, Alabama, and said Judge must canvass the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election were "for annexation" said Judge shall make and enter an order on the records of said Probate Court of Jefferson County, at Birmingham, Alabama, recording such fact, and from the time of the entry of said order this Act shall be fully effective and the boundaries of said City of Birmingham shall be as set forth. If it appears that a majority of the votes cast at the election are "against annexation" the Judge of Probate shall make and enter an order on the records of said County recording such fact, and this act shall not be effective, and the boundaries of said City shall be and remain as they were before the passage of this Act.

Section 8. The result of such election may be contested by any qualified elector voting at the election under the same provisions as are provided by general law for contesting the election of a Justice of the Peace, making the City the contestee. The City of Birmingham shall pay all cost and expenses incident to the election, except such costs and expenses incurred in an unsuccessful contest of such election, in such event said unsuccessful contestant shall pay such costs and expenses.

Section 9. The Probate Judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them, as they are authorized by law to charge and collect for similar services rendered by them, and said City of Birmingham shall pay all costs and expenses except in the case of a contest as herein provided.

Section 10. That this Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JEFFERSON, ss:

On this 15 day of October A. D. one thousand nine hundred and Fifty Nine personally appeared before me, J. L. Roberts a Notary Public in and for the County and State aforesaid J. B. Wilkerson who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: Sept. 24, 1959, Oct. 1, 8, 15, 1959.

J. B. WILKERSON.

Subscribed and sworn to before me this 15 day of October A. D. 1959.

J. L. ROBERTS,
Notary Public.

My Commission Expires Feb. 28, 1960.

Also:

By Messrs. Hawkins and Edwards:

H. 995. To provide for designating the 109th Evacuation Hospital building in Jefferson County, "Fort Mortimer H. Jordan."

Also:

By Messrs. Perry, Morrow, Edwards, Hawkins, Locke, Rast, and Sessions:

H. 996. To authorize the incorporation in any county in this state having a population of 500,000 or more, according to the last or any succeeding Federal Census, of a health care authority as a public corporation for hospital purposes, including, among others, the making of provisions for medical and hospital aid to the indigent sick of such county; to provide a method of effecting the incorporation of such authority and electing the members of its board of directors and its officers; to specify the powers of such board of directors and the powers of such authority; to provide for the payment to such authority by the county in which it is organized of all revenue received and held by such county from any tax levied by the state for the benefit of the county for health and medical care of indigent residents of the county, and to authorize such county to allocate and pay other funds to such authority; to provide for the expenditure of the funds of such authority for any of its corporate purposes; to authorize the sale and issuance of securities by such authority for any of its purposes; to authorize such authority to provide the details of such securities and the pledge of revenues of the authority and the execution of mortgages or deeds of trust as security thereof; to provide that such securities shall constitute negotiable instruments; to provide that the properties and income of such authority, the securities issued by it and the interest payable thereon, and all mortgages and other instruments executed as security therefor shall be exempt from taxation;

to authorize investment of fiduciary funds in securities by such authority; to require the making of annual reports and the submission of an annual budget to the governing body of such county; to provide the time and method of dissolution of such authority; to provide that the formation and dissolution of one or more such authorities shall not prevent the subsequent formation of another authority in the same county; and to authorize such county and any municipality therein to transfer to such authority projects and funds acquired or allocated for any of the purposes for which such authority shall have been organized.

Also:

By Messrs. Edwards, Sessions, Morrow, Perry, Hawkins, Locke, and Rast:

H. 999. To amend further Act No. 259, H. 530, approved June 24, 1943, an act providing for appeals to the circuit court in certain counties having a population of 400,000 or more, according to the last or any subsequent federal decennial census, from decisions of the board of equalization (General Acts, Regular Session 1943, p. 230), which is known as "The Expeditious and Economical Tax Appeals Act."

Also:

By Mr. Johnson (J. T. Tom):

H. 962. Prescribing duties and powers of stenographic secretary of Circuit Solicitor of Fifth Judicial Circuit.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 941, 942, 980, 985, 986, 987, 988, 998, 983, 989, 992, 995, 996, and 999 — to the Committee on Local Legislation

H. B. 962 — to the Committee on Judiciary

RESOLUTION

Mr. Haltom offered the following Senate Joint Resolution, to-wit:

S. J. R. 36. Be It Resolved By the Senate, the House concurring, that when the two houses adjourn on October 27, 1959 they meet again on Friday, October 30, 1959 at 10:00 A.M.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and order same sent forthwith to the Senate without engrossment:

By Messrs. Shumate and Bevill:

H. 855. To permit any water works board organized under the provisions of Sections 394 to 402, inclusive, of Title 37 of the Code of

Alabama of 1940 which has acquired or may hereafter acquire a gas plant and system pursuant to Act No. 154 adopted at the 1947 Regular Session of the Legislature of Alabama, to issue revenue bonds for certain water works purposes and to pledge for payment of such revenue bonds not only water revenues, but also any available gas revenues and to provide that in order so to issue revenue bonds it shall not be necessary for such water works board to combine such water and gas systems.

Also:

By Messrs. Harris, McCorquodale, Bishop, Nettles, Rogers, Sullivan, Speaks, Jenkins, Cabiness, Martin, Britton, Johnston (Leonard), Avery, Lee, Hardy, Hain, Long (Perry), Hearn, Johnson (Harda way):

H. 424. To further amend the Farm-to-Market Road Act of 1943 (Act No. 329, approved July 1, 1943) by amending Sections 1, 2, and 13 of said Act as amended by Act No. 41, approved June 1, 1945 (1945 Acts, page 47); by amending Sections 3 and 7 of said Act as amended by Act No. 831, approved September 19, 1953 (1953 Acts, page 1119); and by amending Section 11 of said Act as amended by Act No. 14 approved August 11, 1950 (Fourth Special Session 1950 Acts, page 55).

Also:

By Mr. Copeland:

H. 195. To amend further Section 787 of Title 51, Code of Alabama 1940, which relates to the state use tax, so as to redefine the term "wholesale sale."

Also:

By Messrs. Cornett, Hocklander, Murphy, and Hanby:

H. 467. To amend further Section 153 of Title 8, Code of Alabama 1940, making it unlawful to sell oysters under a certain size, etc.

Also:

By Messrs. Cornett, Hocklander, Murphy, and Hanby:

H. 466. Relating to seafoods; providing for owners of private oyster reefs, beds, or bottoms, or the lessees thereof, to use mechanical devices, including mechanical rake dredges, at any time, to cultivate and harvest or to remove their live oysters, under certain prescribed conditions.

Also:

By Messrs. Cornett, Hocklander, Murphy, and Hanby:

H. 465. To amend Section 10 of an act approved August 17, 1951 (Act No. 476, S. 418, Acts 1951, Vol. I, p. 840) creating within the department of conservation a division to be known as the division of seafoods, in relation to the authority of the director of conservation to make expenditures out of the seafoods fund.

Also:

By Messrs. McCorquodale, Ray, Oden, Barnett, Nettles, Lee, Merrill, Meade, Grant, Daniel, Hankins, Broadfoot, Roberts, Gilchrist, Sullivan, Hearn, and Taylor:

H. 695. To amend further Section 465 of Title 51, Code of Ala-

bama 1940, in relation to the privilege license tax imposed on automobile accessory dealers.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 855, 424 and 695 — to the Committee on Finance and Taxation

H. B. 195 — to the Committee on Judiciary

H. B.'s 467, 466 and 465 — to the Committee on Forestry and Conservation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Callahan:
H. 437. To create an additional judgeship for, and a domestic relations divisions of, the Sixth Judicial Circuit of Alabama; defining its jurisdiction and authority; and providing that the judge of the domestic relations division of the Circuit Court shall be ex-officio judge of the Juvenile Court.

Also:

By Messrs. Gilchrist and Brewer:
H. 924. To provide for payment by the county of expenses incurred in the operations of the office of county superintendent of education, county commissioner of education, commissioner of public instruction, commissioner of public schools, or other like officer of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Also:

By Mr. Speaks:
H. 940. To extend, alter, and rearange the boundary line and corporate limits of the City of Clanton, in Chilton County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF CHILTON:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter, and rearrange the boundary lines and corporate limits of the City of Clanton, in Chilton County,, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Clanton in Chilton County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said City all of the following additional, adjacent territory:

The East half of the Northwest Quarter of the Southwest Quarter (E½ of NW¼ of SW¼) Section Thirty (30), Township Twenty-Two (22), Range Fifteen (15).

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carlos W. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Assistant Manager of the Union Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 17, September 24, October 1, and October 8, all in the year 1959.

CARLOS W. WYATT

Sworn to and subscribed before me October 8, 1959.

A. B. FOSHEE,
Notary Public.

Also:

By Messrs. Brewer and Gilchrist:
H. 956. To extend the boundary lines of the Town of Trinity, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given that a bill in substantially the following form will be introduced at the next special or regular session of the legislature of Alabama and application made for its enactment:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the Town of Trinity, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Trinity, in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

Beginning at a point where the easterly line of the NW¼ of SW¼ of Section 29, Township 5, Range 5 West intersects the southerly corporation line of the town of Trinity, Alabama, thence running south to the southeast corner of the NW¼ of the SW¼ of Section 20, Township 5, Range 5 West; thence running west one-half of a mile to the southwest corner of the NE¼ of the SE¼ of Section 30, Township 5, Range 5 West; thence northerly along the westerly line of the NE¼ of the SE¼ and the westerly line of the E½ of the NE¼ of Section 30, Township 5, Range 5 West to its intersection with the center line of the new Moulton-Decatur Highway; thence running in a southwesterly direction along the center line of said Moulton-Decatur Highway to its intersection with the westerly line of the SW¼ of the NE¼ of Section 30, Township 5, Range 5 West; thence running northerly to the northwest corner of the SW¼ of the NE¼ of Section 30, Township 5, Range 5 West; thence running westerly along the southerly line of the N½ of the NW¼ of Section 30, Township 5, Range 5 West to the Morgan-Lawrence County line; thence running northerly along said county line three-fourths of a mile to the northwest corner of the SW¼ of Section 19, Township 5, Range 5 West; thence easterly along the northerly line of the SW¼ to the northeast corner of the SW¼ of Section 19, Township 5, Range 5 West; thence southerly to the southwest corner of the NW¼ of the SE¼ of Section 19, Township 5, Range 5 West; thence easterly along the southerly line of the NW¼ of the SE¼ of Section 19, Township 5, Range 5 West to the west corporation line of the Town of Trnity, Alabama, Alabama; thence following the said corporation line of the Town of Trinity, Alabama, in a southerly direction 1491 feet; thence in an easterly direction 2065 feet; thence in a southerly direction 2780 feet; thence in an easterly direction to the point of beginning.

Section 2. This Act shall be effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 7, 14, 21, and 28, all in the year 1959.

B. C. SHELTON

Sworn to and subscribed before me September 28, 1959.

R. H. JERVIS,
Notary Public.

Also:

By Messrs. Perry, Locke, Morrow, Hawkins, Rast, Sessions, and Edwards:

H. 946. For the relief of C. D. Chiles; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have four months from the effective date of this Act in which to take action on C. D. Chiles' pending application for extraordinary disability allowance.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that during the present session of the Legislature of Alabama application for adoption of the following act will be made:

A BILL
TO BE ENTITLED
AN ACT

For the Relief of C. D. Chiles; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, et seq.), shall have four months from the effective Date of this act in which to take action on C. D. Chiles' pending application for extraordinary disability allowance.

Be It Enacted by the Legislature of Alabama:

Section 1. The purpose of this Act is to provide additional time for the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act. No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579), hereinafter referred to as "the Pension Act," in which to determine whether C. D. Chiles, a member of the said Pension System, was injuried under such circumstances as to entitle him to the extraordinary disability allowance provided for by Section 14 of the Pension Act, the exigencies of the Chiles case being such as to lead the Legislature to conclude that such additional time should be accorded pursuant to Chiles' petition to the Legislature for additional time, which petition the Legislature has been advised that the said Board of Managers does not oppose.

Section 2. It is hereby provided that the Board of Managers of the City of Birmingham Retirement and Relief System shall have four months from the effective date of this act within which to take action on C. D. Chiles' pending application for the extraordinary disability allowance provided by the Pension Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appear Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of Sept. 12, 19, 26, Oct. 3, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 5th day of October, 1959.

SARA WHEELER,
Notary Public.

Also:

By Messrs. Morrow, Locke, Sessions, Edwards, Perry, Hawkins, and Rast:

H. 947. To alter, rearrange, and extend the corporate limits of the City of Birmingham, Jefferson County, so as to include within the corporate limits of said City of Birmingham certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, the substance of which will, as distinguished from details, is and will be the following:

A BILL
TO BE ENTITLED
AN ACT

To alter and extend the corporate limits of the City of Birmingham, Jefferson County, Alabama, so as to include within the corporate limits of said City of Birmingham certain additional territory.

Said bill will provide, in substance, for the alteration and extension of the corporate limits of the City of Birmingham, Jefferson County, Alabama, so as to include within the corporate limits of said City of Birmingham all territory now within such corporate limits and also certain additional territory located in the S.E. corner of the SW¼ of the NE¼ of Section 30, Township 16 South, Range 1 West, said additional territory being a parcel of land contiguous to, but outside of, the present corporate limits of sai dCity of Birmingham and containing approximately twenty-three (23) acres."

Messenger—June 13, 20, 27; July 4, 1959.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 13, 20, 27, July 4, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 6th. day of July, 1959.

SARA WHEELER,
Notary Public.

Also:

By Messrs. Broadfoot and Long (Lauderdale):

H. 974. To amend Sections 1, 2, 3, 4, 7, 8, 10 and 12 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama, approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433) relative to privilege or license taxes and excise taxes in Lauderdale County and in the City of Florence, Lauderdale County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply for the passage and enactment at the 1959 Regular Session of the Legislature of Alabama of a Bill substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1, 2, 3, 4, 7, 8, 10 and 12 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama, approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433) relative to privilege or license taxes and excise taxes in Lauderdale County and in the City of Florence, Lauderdale County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act. No. 296, adopted by the 1949 Regular Session of the Legislature of the State of Alabama approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433) is hereby amended to read as follows:

"Section 1. In Lauderdale County, Alabama, (outside the City limits of Florence) there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein

provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows: (a) Upon every person, firm or corporation engaged, or continuing within Lauderdale County, Alabama, (outside the City Limits of Florence) in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. (b) Upon every person, firm or corporation engaged, or continuing within Lauderdale County, Alabama, (outside the City Limits of Florence) in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Lauderdale County, Alabama, (outside the City Limits of Florence) an amount equal to one percent of the gross receipts of any such business. (c) Upon every person, firm or corporation engaged or continuing within Lauderdale County, Alabama, (outside the City Limits of Florence) in the business of selling at retail any automotive vehicle, or truck trailer and semi-trailer, an amount equal to one-fourth of one percent of the gross proceeds of the sale of said automobile vehicle or truck trailer and semi-trailer. (d) The tax levied in Section One hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, entitled "An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and suplemented", except where inapplicable or where herein otherwise provided, all of which are adopted and made a part thereof by reference, including the provisions for the enforcement and collection thereof."

Section 2. Section 2 of the aforesaid Act No. 296 of 1949 is hereby amended to read as follows:

"Section 2. (a) In Lauderdale County, Alabama (outside the City Limits of Florence) an excise tax is hereby imposed on the storage, use or other consumption in Lauderdale County, Alabama (outside the City Limits of Florence) of tangible personal property purchased at retail for storage, use or consumption in Lauderdale County, Alabama

(outside the City Limits of Florence), at the rate of one percent of the sales price of such property, except as provided in subsection (b) of this section. (b) In Lauderdale County, Alabama (outside the City Limits of Florence), an excise tax is hereby imposed on the storage, use or other consumption in Lauderdale County, Alabama (outside the City Limits of Florence), of any automotive vehicle or truck trailer and semi-trailer purchased at retail for storage, use or other consumption in Lauderdale County, Alabama (outside the City Limits of Florence), at the rate of one-fourth of one percent of the sales price of such automotive vehicle or truck trailer and semi-trailer. Every person storing, using or otherwise consuming in Lauderdale County, Alabama (outside the City Limits of Florence), tangible personal property purchased at retail shall be liable for the tax imposed hereby, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in Lauderdale County, Alabama, showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer. (c) The tax levied in Section Two hereof shall be subject to all the definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, and punishment and deductions set out in Section 787 through 811 and Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 3. Section 3 of the aforesaid Act No. 296 of 1949 is hereby amended to read as follows:

"Section 3. In the City of Florence, Alabama, there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows: (a) Upon every person, firm or corporation engaged, or continuing within said City of Florence, Alabama, in business of selling at retail any tangible personal property whatsoever (not including, however, bonds or other evidences of debt or stocks), an amount equal to one-half of one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business, (b) Upon every person, firm or corporation engaged, or continuing within said City of Florence, Alabama, in the business of conducting, or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, con-

ducted or carried on within said City of Florence, Alabama, an amount equal to one percent of the gross receipts of any such business. (c) Upon every person, firm or corporation engaged or continuing within the City of Florence, Alabama, in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-eighth of one percent of the gross proceeds of the sale of said automobile vehicle or truck trailer and semi-trailer. (d) The tax levied in Section One hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines and punishments and deductions set out in the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part thereof by reference, including the provisions for the enforcement and collection thereof."

Section 4. Section 4 of the aforesaid Act No. 296 of 1949 is hereby amended to read as follows:

"Section 4. (a) In said City of Florence, Alabama, an excise tax is hereby imposed on the storage, use or other consumption in said City of Florence, Alabama, of tangible personal property purchased at retail on or after effective date of this Act, for storage, use or consumption in Lauderdale County, Alabama, at the rate of one percent of the sales price of such property, except as provided in sub-section (b) of this section. (b) In said City of Florence, Alabama, an excise tax is hereby imposed on the storage, use or other consumption in said City of Florence, Alabama, of any automotive vehicle or truck trailer and semi-trailer purchased at retail for storage, use or other consumption in said City of Florence, Alabama, at the rate of one-fourth of one percent of the sales price of such automotive vehicle or truck trailer and semi-trailer. Every person storing, using or otherwise consuming in the City of Florence, Alabama, tangible personal property purchased at retail shall be liable for the tax imposed hereby, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in said City of Florence, Alabama, showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer. (c) The tax levied in Section Two hereof shall be subject to all the definitions, exceptions, proceedings, requirements, rules and regulations, provisions, penalties, fines, and punishment and deductions set out in Section 787 through Section 811 and Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof."

Section 5. Section 7 of the aforesaid Act No. 296 of 1949, is hereby amended to read as follows:

"Section 7. The taxes herein levied shall be collected by, and paid to, the Probate Judge of Lauderdale County, in his official capacity. All reports required to be made to the Commissioner of Revenue of the State of Alabama as to State Sales and Use Taxes under the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Article 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto, as to such taxes herein levied shall also be made to the Probate Judge of Lauderdale County, Alabama, and as to the taxes herein levied the Probate Judge of Lauderdale County, Alabama, shall have and exercise the same powers, duties and obligations as are imposed on the Commissioner of Revenue of the State of Alabama by the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Article 11 of Chapter 20 of Title 51 of the Code of Alabama,

and amendments thereto, as to State taxes therein levied. "The Probate Judge of Lauderdale County shall be reimbursed out of said taxes for all clerk hire and other expense incurred by him in the collection, handling and disbursing of said moneys, and shall also be entitled to reasonable compensation for his services in connection therewith, to be paid out of said tax moneys, not to exceed one percent of such collection. And each person or party paying any tax under this Act shall be authorized to deduct from the remittance three percent (3%) of the amount of such tax for reimbursement for the expense of collecting and reporting such tax."

Section 6. Section 8 of the aforesaid Act No. 296 of 1949 is hereby amended to read as follows:

"Section 8. The Probate Judge of Lauderdale County shall at monthly intervals pay over any moneys collected by him from such taxes, less his expense and compensation as hereinabove provided, to the Lauderdale County Board of Education, and the City Board of Education in the same proportions as the school funds allocated by the State of Alabama to Lauderdale County, and the City of Florence, are now or may hereafter be divided."

Section 7. Section 10 of the aforesaid Act No. 296 of 1949 is hereby amended to read as follows:

"Section 10. The taxes herein levied shall be due and collectible at the times and manner and as set out in the aforesaid Act No. 100 of the 1959 Sesond Special Session of the Legislature and Article 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, and all of the methods and provisions given to the State of Alabama as to the collection of said taxes under the provisions of the aforesaid Act No. 100 of the 1959 Second Special Session of the Legislature and Article 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, are given hereby to Lauderdale County and the City of Florence as to the taxes hereby levied."

Section 8. Section 12 of the aforesaid Act No. 296 of 1949 is hereby amended to read as follows:

"Section 12. All revenue arising from the tax hereby levied applicable to the City of Florence shall be used exclusively for school purposes and solely for capital outlay and maintenance of the public schools of said City of Florence."

Section 9. All laws and parts of laws in conflict with any provision of this Act are hereby repealed.

Section 10. If any section, clause or provision of this Act shall be, or be declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 11. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the The Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 21, September 28, October 5, and October 12, all in the year 1959.

D. H. BOWLING,
Advertising Manager.

Sworn to and subscribed before me October 13, 1959.

JAMES C. STUTTS,
Notary Public State-At-Large.

My Commission Expires June 29, 1963.

Also:

By Messrs. Glass and Taylor:

H. 965. Relating to Butler County; authorizing the governing body of the county to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in The Butler County Jail by the Sheriff.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

Relating to Butler County; authorizing the governing body of the county to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in The Butler County Jail by the Sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Butler County is hereby authorized to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in The Butler County Jail by the Sheriff, the cost thereof to be paid out of the General Fund of the county treasury not otherwise appropriated.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of Sept. 17, Sept. 24, Oct. 1 and Oct. 8, 1959.

J. G. STANLEY.

Sworn to and subscribed before me, this 9th day of October, 1959.

PAULINE B. FULTON,
Notary Public.

Also:

By Messrs. Glass and Taylor:
H. 966. For the relief of The United Telephone & Telegraph Co., and to authorize and direct The Court of County Commissioners of Butler County, Alabama, to pay to the said United Telephone & Telegraph Co., the sum of FOUR HUNDRED FORTY DOLLARS AND THIRTY-EIGHT CENTS ($440.38) for damages to telephone lines owned by the said United Telephone & Telegraph Co.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

For the relief of The United Telephone & Telegraph Co., and to authorize and direct The Court of County Commissioners of Butler County, Alabama, to pay to the said United Telephone & Telegraph Co., the sum of FOUR HUNDRED FORTY DOLLARS AND THIRTY-EIGHT CENTS ($440.38) for damages to telephone lines owned by the said United Telephone & Telegraph Co.

Be It Enacted by the Legislature of Alabama:

Section 1. Immediately upon passage of this act, The Court of County Commissioners of Butler County, Alabama, is authorized and directed to issue its warrant on the County Depository of said county in favor of the United Telephone & Telegraph Co., in the sum of FOUR HUNDRED FORTY DOLLARS AND THIRTY-EIGHT CENTS (440.38), which shall be paid out of the Gasoline Fund in said County Depository not otherwise appropriated, for the purpose of compensating the said United Telephone & Telegraph Co., for damages to telephone lines owned by them and located between Forest Home and Greenville and within the corporate limits of The City of Greenville, said damages being caused by county road equipment owned and operated by Butler County, Alabama.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA,
BUTLER COUNTY.

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for four successive weeks, said notice having been published in the issues of Sept. 17, Sept. 24, Oct. 1, and Oct. 8, 1959.

J. G. STANLEY.

Sworn to and subscribed before me, this 9th day of October, 1959.

PAULINE B. FULTON,
Notary Public.

Also:

By Mr. Faulk:
H. 972. To further amend Section Two of Act No. 538, Local Acts of the Legislature, 1939, approved September 16, 1939, which said Sec-

tion Two was amended by Act No. 651 of the Legislature of 1947, approved October 9, 1947, which said Act No. 538 established in Geneva County, Alabama, a Court of Record to be known as the "Inferior Court of Geneva County"; and to provide that said Court have limited equity jurisdiction and to provide for a Register of said Court and a stenographer for the Judge of said Court and fix her salary.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A LOCAL BILL

Notice is hereby given that a local bill, substantially as set forth below, will be introduced in the Legislature of Alabama.

A BILL
TO BE ENTITLED
AN ACT

To further amend Section Two of Act. No. 538, Local Acts of the Legislature, 1939, approved September 16, 1939, which said Section Two was amended by Act. No. 651 of the Legislature of 1947, approved October 9, 1957, which said Act No. 538 established in Geneva County, Alabama, a Court of Record to be known as the "Inferior Court of Geneva County;" and to provide that said Court have limited equity jurisdiction and to provide for a Register of said Court and a stenographer for the Judge of said Court and fix her salary.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2, Act No. 538, Local Acts of 1939, as amended by Act approved October 9, 1947, be further amended to read as follows:

That Section 2 of an Act of the Legislature entitled "An Act to establish a Court of Record in Geneva County, Alabama, to be known as the "Inferior Court of Geneva County;" to provide for its criminal jurisdiction to include all misdemeanors; and to provide for the civil jurisdiction thereof to include all civil jurisdiction now exercised by Justices of the Peace, and in addition thereto to include all suits, actions and matters of law where the amount involved therein is the sum of Three Hundred and no/100 Dollars, or less; to provide for the officers of the said Court, their terms of office, the manner of their selection and election, and their powers, duties and compensation; to fix the fees and costs in said Court; to provide for the rules of procedure for said Court and for the operation thereof; to provide for the registering of judgments rendered in said Court, and the effect thereof; to provide for the method and manner of instituting civil and criminal proceedings therein; to provide for the transfer of criminal prosecutions for misdemeanors now or hereafter pending in the County Court of Geneva County; and to provide for the transfer of civil suits pending in said Circuit Court, within the jurisdiction of this Court, by agreement," approved September 16, 1939, as amended by Act. No. 651, approved October 9, 1947. That said Court shall have civil jurisdiction in all civil matters of which Justices of the Peace of Geneva County have jurisdiction under the general laws of this State; concurrently with the several Justices of the Peace in said County; and, in addition thereto, the said Court shall have jurisdiction, concurrently with the Circuit Court, of all matters, suits and actions of law, which are amount more than the jurisdiction of the Justices of the Peace, and not more than the sum of Five Hundred and no/100 ($500.00) Dollars; and the said Court shall have original juris-

diction, concurrent with the Circuit Court, of all misdemeanors committed in Geneva County, Alabama; and it shall have preliminary jurisdiction of all felonies concurrent with the several Justices of the Peace of said County committed in Geneva County, Alabama; that there is hereby conferred on the Inferior Court of Geneva County, Alabama, equity jurisdiction to the extent only to suits for divorce or separate maintenance and cases involving domestic relations or the custody of children and the removal of disabilities of non age of minors and that such proceedings shall be conducted and appeals may be taken to the Supreme Court of Alabama in accordance with the rules of the Equity Court now or hereafter obtaining; but appellant jurisdiction of all of the Justice of the Peace Courts and municipal Courts in said County is hereby expressly repealed. The jurisdiction, both civil, criminal and in equity of said Court, as hereinabove provided, shall be co-extensive with the county; provided, further, that the said Court shall not have and exercise civil jurisdiction of actions of libel, assault and battery or ejectment or actions in the nature of ejectment.

Section 2. That the Judge of said Court be and he is hereby uathorized to employ a stenographer and the salary of such stenographer is fixed at the sum of $900.00 per year to be paid in equal monthly installments out of the general funds of the County on the warrant of the Probate Judge upon certificate of the Judge of this Court.

Section 3. That the Register of the Circuit Court, in Equity, of Geneva County, Alabama, shall, by virtue of his office, be the Register of the Inferior Court of Geneva County, Alabama, and shall have the powers and discharge the duties which shall devolve upon the Register of the Inferior Court of Geneva County, Alabama. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, cost and commissions as are now, or may hereafter be allowed to the Register of the Circuit Court in Equity, which shall be collected as such fees, cost and commissions are collected in Circuit Courts. The Register of the Inferior Court of Geneva County, Alabama, before entering into the duties of his office, shall give bond in the penal sum of Two Thousand ($2,000.00) Dollars, payable and conditioned as official bonds required of the Registers of the Circuit Courts, in Equity, to be taken and approved by the Judge of said Court and recorded in the Probate Office of the County and upon said bond there shall be the same liabilities and remedies as upon bonds of the Registers of the Circuit Courts of this State.

Section 4. If any section, sentence, clause, phrase or part of this Act shall be declared invalid, such invalidity shall not affect the remainder of the Act, but such parts not declared invalid shall remain in full force and effect.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

I, Orsen Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of Four consecutive weeks, commencing Sept. 17, 1959, and ending Oct. 8, 1959.

WITNESS my hand this 12 day of October, 1959.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 12 day of Oct., 1959.

KAROL L. FLEMING,
Notary Public.

My Commission Expires 2nd July, 1963.

Also:

By Messrs. Brewer, Dodd, Turner and Gilchrist:

H. 923. To provide for the creation of the Tri-County Regional Planning Commission with jurisdiction in Morgan, Lawrence and Limestone Counties, to provide for its composition, organization, rules, procedure, appropriations, membership, terms of office, powers and duties, and for the adoption of a regional plan by such commission.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the creation of the Tri-County Regional Planning Commission with jurisdiction in Morgan, Lawrence and Limestone Counties, to provide for its composition, organization, rules, procedure, appropriations, membership, terms of office, powers and duties, and for the adoption of a regional plan by such commission.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the Tri-County Regional Planning Commission which shall have jurisdiction for planning purposes in the counties of Lawrence, Limestone and Morgan Counties and shall be comprised of nine members, three from each County, who shall hold office for a term of six years, except that the respective terms of three of the members first selected as hereinafter provided shall be for two years, and the terms of three of such members first selected shall be four years, and said members shall serve without compensation, and any vacancies in said commission shall be filled by the authority appointing the member filling such vacant position.

Section 2. Except as otherwise provided in this act the provisions of Article 3, Title 37, 1940 Code of Alabama, relative to the organization, rules, staff, finances, procedure and miscellaneous powers and duties of municipal planning commissions shall apply to this commission.

Section 3. Said commission is hereby authorized and empowered to make, adopt, amend, extend, and add to a master regional plan for the physical development of the three Counties comprising the region of this commission, and such plan shall be based on comprehensive studies of the present and anticipated development of the region with regard to its

relation to neighboring regions and to the state as a whole. Such plans, including such maps, charts, diagrams and descriptive matter as may be adopted, shall show the commission's recommendations for the physical development of the region and may include among other things the general location, extent and character of streets, parks, and other public ways, grounds and open spaces, public buildings, and public properties and public utilities which affect the development of the region as a whole, and also the general location of forests, agricultural and open development areas for purposes of conservation, water supply, sanitary and drainage facilities, industrial use and development, and also a zoning plan for the control of the height and area, location, and use of buildings and premises; such master plan shall be made with the general purpose of guiding a coordinated, adjusted and harmonious development of the region and of public improvements and utilities and which will best promote the health, safety, morals, convenience, prosperity and general welfare of the region.

Section 4. The commission, after adopting the regional plan, shall certify a copy thereof to each municipality and to the governing body of each County comprising the region, and such plans shall be ratified and approved by the County governing body of the several counties comprising said region. Amendments to said plan shall be ratified and approved in like manner.

Section 5. Any five members of the commission shall constitute a quorum for the transaction of business, and the chairman of the commission shall be elected by the members of the commission and shall serve a term of four years unless his term as a member of the commission shall sooner expire in which case his term as chairman shall expire simultaneously with his membership on the commission, and the commission shall likewise elect a vice-chairman and a secretary-treasurer who shall serve like terms as the chairman and on the same terms and conditions.

Section 6. There is hereby appropriated the sum of $3,000.00 per year to said commission for its expenses in carrying out the provisions of this act, and said commission may hire such personnel, legal or otherwise, as it may deem necessary or expedient in carrying out the provisions of this act, and said amount so appropriated shall be paid equally by the governing bodies of the several counties comprising said region on or before the 1st day of October of each year after the effective date of this act.

Section 7. Said commission shall have all the powers and authority heretofore conferred on private corporations by the laws of Alabama, may sue and be sued, may take part as a party litigant in any suit at law or action in equity in any court of competent jurisdiction in this state, may adopt such rules and regulations as are not inconsistent herewith for its management and control, may spend public funds for the purposes outlined herein, and shall take such actions and have such powers as may be necessary to enforce the authority and duties imposed upon it by this act.

Section 8. The members of said commission shall be appointed by the governing bodies of the three counties comprising this region for the terms hereinabove provided, and vacancies shall be filled in like manner for the unexpired term of the office becoming vacant.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 3, Sept. 10, Sept. 17, and Sept. 24, all in the year 1959.

JACK W. HOFFHAUS.

Sworn to and subscribed before me Sept. 30, 1959.

ESTELLE J. ODEN,
Notary Public.

Com. Exp. 10-29-1960.

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the creation of the Tri-County Regional Planning Commission with jurisdiction in Morgan, Lawrence and Limestone Counties, to provide for its composition, organization, rules, procedure, appropriations, membership, terms of office, powers and duties, for the adoption of a regional plan by such commission.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the Tri-County Regional Planning Commission which shall have jurisdiction for planning purposes in the counties of Lawrence, Limestone and Morgan Counties and shall be comprised of nine members, three from each County, who shall hold office for a term of six years, except that the respective terms of three of the members first selected as hereinafter provided shall be for two years, and the terms of three of such members first selected shall be four years, and said members shall serve without compensation, and any vacancies in said commission shall be filled by the authority appointing the member filling such vacant position.

Section 2. Except as otherwise provided in this act the provisions of Article 3, Title 37, 1940 Code of Alabama, relative to the organization, rules, staff, finances, procedure and miscellaneous powers and duties of municipal planning commissions shall apply to this commission.

Section 3. Said commission is hereby authorized and empowered to make, adopt, amend, extend, and add to a master regional

plan for the physical development of the three Counties comprising the region of this commission, and such plan shall be based on comprehensive studies of the present and anticipated development of the region with regard to its relation to neighboring regions and to the state as a whole. Such plans, including such maps, charts, diagrams and descriptive matter as may be adopted, shall show the commission's recommendations for the physical development of the region and may include among other things the general location, extent and character of streets, parks and other public ways, grounds and open spaces, public buildings, and public properties and public utilities which affect the development of the region as a whole, and also the general location of forests, agricultural and open development areas for purposes of conservation, water supply, sanitary and drainage facilities, industrial use and development, and also a zoning plan for the control of the height and area, location, and use of buildings and premises; such master plan shall be made with the general purpose of guiding a coordinated, adjusted and harmonious development of the region and of public improvements and utilities and which will best promote the health, safety, morals, convenience, prosperity and general welfare of the region.

Section 4. The commission, after adopting the regional plan, shall certify a copy thereof to each municipality and to the governing body of each County comprising the region, and such plans shall be ratified and approved by the County governing body of the several counties comprising said region. Amendments to said plan shall be ratified and approved in like manner.

Section 5. Any five members of the commission shall constitute a quorum for the transaction of business, and the chairman of the commission shall be elected by the members of the commission and shall serve a term of four years unless his term as a member of the commission shall sooner expire in which case his term as chairman shall expire simultaneously with his membership on the commission, and the commission shall likewise elect a vice-chairman and a secretary-treasurer who shall serve like terms as the chairman and on the same terms and conditions.

Section 6. There is hereby appropriated the sum of $3,000.00 per year to said commission for its expenses in carrying out the provisions of this act, and said commission may hire such personnel, legal or otherwise, as it may deem necessary or expedient in carrying out the provisions of this act, and said amount so appropriated shall be paid equally by the governing bodies of the several counties comprising said region on or before the 1st day of October of each year after the effective date of this act.

Section 7. Said commission shall have all the powers and authority heretofore conferred on private corporations by the laws of Alabama, may sue and be sued, may take part as a party litigant in any suit at law or action in equity in any court of competent jurisdiction in this state, may adopt such rules and regulations as are not inconsistent herewith for its management and control, may spend public funds for the purposes outlined herein, and shall take such actions and have such powers as may be necessary to enforce the authority and duties imposed upon it by this act.

Section 8. The members of said commission shall be appointed by the governing bodies of the three counties comprising this region for the terms hereinabove provided, and vacancies shall be filled in like manner for the unexpired term of the office becoming vacant.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 8, Sept. 15, Sept. 22, and Sept. 29, all in the year 1959.

STEELE McGREW.

Sworn to and subscribed before me Oct. 1, 1959.

LOLA L. ORR,
Notary Public.

A BILL
TO BE ENTITLED
AN ACT

To provide for the creation of the Tri-County Regional Planning Commission with jurisdiction in Morgan, Lawrence and Limestone Counties, to provide for its composition, organization, rules, procedure, appropriations, membership, terms of office, powers and duties, and for adoption of a regional plan by such commission.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the Tri-County Regional Planning Commission which shall have jurisdiction for planning purposes in the counties of Lawrence, Limestone and Morgan Counties and shall be comprised of nine members, three from each County who shall hold office for a term of six years, except that the respective terms of three of the members first selected as hereinafter provided shall be for two years, and the terms of three of such members first selected shall be four years, and said members shall serve without compensation, and any vacancies in said commission shall be filled by the authority appointing the member filling such vacant position.

Section 2. Except as otherwise provided in this act the provisions of Article 3, Title 37, 1940 Code of Alabama, relative to the organization, rules, staff, finances, procedure and miscellaneous powers and duties of municipal planning commissions shall apply to this commission.

Section 3. Said commission is hereby authorized and empowered to make, adopt, amend, extend, and add to a master regional plan for the physical development of the three Counties comprising the region of this commission, and such plan shall be based on comprehensive studies of the present and anticipated development of the region with regard to its relation to neighboring regions and to the state as a whole. Such plans, including such maps, charts, diagrams and descriptive matter as may be adopted, shall show the commission's recommendations for the physical development of the region and may include among other things the general location, extent and character of streets, parks and other public ways, grounds and open spaces, public buildings, and

public properties and public utilities which affect the development of the region as a whole, and also the general location of forests, agricultural and open development areas for purposes of conservation, water supply, sanitary and drainage facilities, industrial use and development, and also a zoning plan for the control of the height and area, location, and use of buildings and premises; such master plan shall be made with the general purpose of guiding a coordinated, adjusted and harmonious development of the region and of public improvements and utilities and which will best promote the health, safety, morals, convenience, prosperity and general welfare of the region.

Section 4. The commission, after adopting the regional plan, shall certify a copy thereof to each municipality and to the governing body of each County comprising the region, and such plans shall be ratified and approved by the County governing body of the several counties comprising said region. Amendments to said plan shall be ratified and approved in like manner.

Section 5. Any five members of the commission shall constitute a quorum for the transaction of business, and the chairman of the commission shall be elected by the members of the commission and shall serve a term of four years unless his term as a member of the commission shall sooner expire in which case his term as chairman shall expire simultaneously with his membership on the commission, and the commission shall likewise elect a vice-chairman and a secretary-treasurer who shall serve like terms as the chairman and on the same terms and conditions.

Section 6. There is hereby appropriated the sum of $3,000.00 per year to said commission for its expenses in carrying out the provisions of this act, and said commission may hire such personnel, legal or otherwise, as it may deem necessary or expedient in carrying out the provisions of this act, and said amount so appropriated shall be paid equally by the governing bodies of the several counties comprising said region on or before the 1st day of October of each year after the effective date of this act.

Section 7. Said commission shall have all the powers and authority heretofore conferred on private corporations by the laws of Alabama, may sue and be sued, may take part as a party litigant in any suit at law or action in equity in any court of competent jurisdiction in this state, may adopt such rules and regulations as are not inconsistent herewith for its management and control, may spend public funds for the purposes outlined herein, and shall take such actions and have such powers as may be necessary to enforce the authority and duties imposed upon it by this act.

Section 8. The members of said commission shall be appointed by the governing bodies of the three counties comprising this region for the terms hereinabove provided, and vacancies shall be filled in like manner for the unexpired term of the office becoming vacant.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA,
LAWRENCE COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Arthur F. Slaton, publisher of The Moulton Advertiser, a newspaper published in said State and County, who being sworn according to law, deposes and says that, the legal notice, copy of which is

herewith attached, was duly published in The Moulton Advertiser for 4 consecutive weekly issues beginning with the issue of Sept. 3, 1959 and ending with the issue of Sept. 24, 1959.

ARTHUR F. SLATON.

Subscribed and sworn to before me, this the 5 day of October, 1959 at Moulton, Alabama.

BETTY S. DYAR,
Notary Public.

My commission expires 5-29-63.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 437 — to the Committee on Finance and Taxation

H. B.'s 924, 940, 956, 946, 947, 974, 965, 966, 972 and 923— to the Committee on Local Legislation

MOTION TO ADJOURN LOST

At 7:02 P. M., Mr. Haltom moved that the Senate adjourn until Friday, October 30, 1959, at 10 o'clock A. M., which motion was lost.

Yeas 8; Nays 15.

Yeas:

Messrs.:	Godfrey	Haltom	Shelton	
Barnett	Green	Leonard	Webb	
Gaither				—8

Nays:

Messrs.:	Cooper	Farmer	Robison	
Andrews	Crawford	Graham	Rutledge	
Archer	deGraffenried	Hines	Turner	
Caffey	Dumas	Moses	Wilson	
				—15

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 30. Relative to mourning the death of Judge David H. Edington, Presiding Judge of the Thirteenth Judicial Circuit of Alabama.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lee and Thomas:
H. 936. To authorize the court of county commissioners, board of revenue or other like governing body of Barbour County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Barbour County public highway and traffic fund.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PUBLICATION

STATE OF ALABAMA
BARBOUR COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the court of county commissioners, board of revenue or other like governing body of Barbour County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Barbour County public highway and traffic fund.

Be It Enacted by the Legislature of Alabama:

Section 1. It being the duty of the chief deputy sheriff and any other deputy sheriffs of Barbour County to enforce state traffic and motor vehicle laws, the court of county commissioners, board of revenue, or other like governing body of Barbour County is hereby authorized to designate the chief deputy and any other deputy sheriffs, whose compensation is paid by the county according to law, as a county traffic control officer. In its discretion, the county governing body may provide for the payment of the compensation of the deputy sheriffs so designated as traffic control officers, in whole or in part, from the Barbour County public highway and traffic control fund.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. W. L. Gammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the The Clayton Record, a newspaper

of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 18, 25, Oct. 2 and 9, all in the year 1959.

MRS. W. L. GAMMELL.

Sworn to and subscribed before me October 9, 1959.

J. JAMES TEAL,
Circuit Clerk.

Also:

By Mr. Ashworth:

H. 937. To amend Act No. 17 adopted at the 1957 Regular Session of the Legislature of Alabama entitled "An Act relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said exicise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 17 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified, the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 17 and the exemptions and other provisions applicable to said excise tax shall parallel, although at the rates herein specified,the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax

with respect to the sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply for the passage and enactment at the 1959 Regular Session of the Legislature of Alabama of a Bill substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 17 adopted at the 1957 Regular Session of the Legislature of Alabama entitled "An Act relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sale price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 17 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 17 and the exemptions and other provisions applicable to said excise tax shall parallel, although at the rates herein specified, the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage, or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax with respect to the

sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 17 adopted at the 1957 Regular Session of the Legislature of Alabama and entitled "An Act relating to Bibb County, Alabama; levying a license tax on persons and other engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes" is hereby amended so that the said title shall read as follows: "An Act relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the sai dtax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes."

Section 2. Section 1 of the said Act No. 17 adopted at the 1957 Regular Session of the Legislature of Alabama shall be and hereby is amended so that the said Section 1 shall read as follows:

Section 1. Meaning of Terms Used in This Act. The following words, terms and phrases where used in this act shall have the following respective meanings, except where the context clearly indicates a different meaning: 'this State' means the State of Alabama; 'Bibb County' means Bibb County in this State; 'State Sales Tax statutes' means Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama; 'State Sales Tax' means the tax imposed by the State Sales Tax statutes; 'State Use Tax statutes' means Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940 as the said Article 11 had been last amended on September 1, 1959, and as it existed on said date; 'State Use Tax' means the tax imposed by the State Use Tax statutes; 'registered seller' means the person registered with the State Department of Revenue pursuant to Section 790 of Title 51 of said Code, as heretofore amended; 'month' means a calendar month; 'quarterly period' means the period of three months ending on the last day of each March, June, September, or December; "fiscal year' means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year. In addition to the foregoing definitions, all words, terms and phrases that are defined in the State Sales Tax statutes or in the State Use Tax statutes shall, where used in this act, have the meanings respectively ascribed to them in the State Sales Tax Statutes or in the State Use Tax statutes, as the case may be, except where the context herein clearly indicates a different meaning."

Section 3. Section 2 of the said Act No. 17 adopted at the 1957 Regular Session of the Legislature of Alabama is hereby amended so that the said Section 2 shall read as follows:

"Section 2. Levy of License Tax Measured by Gross Sales or Gross Receipts. There is hereby levied in Bibb County, in addition to all other taxes of every kind now imposed by law, and shall be collected as hereby provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipt, as the case may be, as follows:

"(a) Upon every person, firm or corporation (including The Board of Trustees of the University of Alabama, The Alabama Polytechnic Institute, and all other institutions of higher learning in the State, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of any such institution (engaged or continuing, within Bibb County, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debt or stocks), an amount equal to one per cent (1%) of the gross proceeds of sales of the business except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business:

"(b) Upon every person, firm or corporation engaged or continuing, within Bibb County, in the business of conducting or operating

places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within this State, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Bibb County, an amount equal to one per cent (1%) of the gross receipts of any such business;

"(c) Upon every person, firm or corporation engaged or continuing within Bibb County in the business or selling at retail machines used in the mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines and attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily used in the operation thereof, an amount equal to one-half of one per cent (½ of 1%) of the gross proceeds of the sale of such machines, parts, attachments and replacements; and

"(d) Upon every person, firm, or corporation engaged or continuing, within Bibb County, in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-half of one per cent (½ of 1%) of the gross proceeds of the sale of said automotive vehicle, or truck trailer and semi-trailer; provided, that where any used automotive vehicle, used truck trailer, or used semi-trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax herein levied shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade;

provided, that there are exempted from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the State Sales Tax statutes from computation of the amount of the State Sales Tax."

Section 4. Section 3 of the said Act No. 17 adopted at the 1957 Regular Session of the Legislature of Alabama is hereby amended so that the said Section 3 shall read as follows:

"Section 3. Levy of Excise Tax on Use, Storage and Consumption of Tangible Personalty. An excise tax is hereby imposed on

"(a) The storage, use or other consumption in Bibb County of tangible personal property purchased at retail, on or after the first day of_____, 1959 (the date to be inserted here will be the first day of the month following the month during which this amendatory bill shall become law), for storage, use or other consumption in Bibb County, at the rate of one per cent (1%) of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Bibb County or in this State, except as provided in subsections (b) and (c) of this section;

"(b) The storage, use or other consumption in Bibb County of any machine used in the mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines and attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail on or after the first day of _____, 1959 (the date to be inserted here will be the first day of the month following the month during which this amendatory bill shall become law), for storage, use or other consumption in Bibb County, at the rate of one-half of one per cent (½ of 1%) of the sales price of such machine, parts, attachments, or replacements; and

"(c) the storage, use or other consumption in Bibb County of any automotive vehicle, truck trailer or semi-trailer purchased at retail on or after the first day of_____, 1959 (the date to be inserted here will be the first day of the month following the month which this amendatory bill shall become law), for storage, use or other consumption in Bibb County, at the rate of one-half of one per cent (½ of 1%) of the sales price of such automotive vehicle, truck trailer, or semi-trailer; provided, that where any used automotive vehicle or used truck trailer or used semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade;

provided, however, that there are exempted from the provisions of this section and the tax imposed in this section the storage, use or other consumption of property the storage, use or other consumption of which are presently exempted under the State Use Tax statutes from the State Use Tax. Subject to the exemptions provided for in the preceding sentence, every person storing, using, or otherwise consuming in Bibb County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the said tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given, pursuant to Section 5 of this act, to the purchaser of any property to be used, stored or consumed in Bibb County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer."

Section 5. Severability Clause. In the event any section, sentence, clause or portion of this act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this act, which shall continue effective.

Section 6. Effective Date of Act. This act shall become effective on the first day of the month succeeding the month during which this act shall be approved by the Governor or shall otherwise become law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the

attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 17, Sept. 24, Oct. 1, and Oct. 8, all in the year 1959.

J. W. OAKLEY, SR.,
Publisher.

Sworn to and subscribed before me 8th day of October, 1959.

MARVIN HUETT,
Notary Public.

Also:

By Mr. Ashworth:
H. 938. To alter, rearrange and extend the boundaries and corporate limits of the Town of West Blocton, Bibb County, Alabama, so as to annex certain territory to the Town.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF BIBB

A BILL
TO BE ENTITLED
AN ACT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange and extend the boundaries and corporate limits of the Town of West Blocton, Bibb County, Alabama, so as to annex certain territory to the Town.

Be It Enacted by the Legislature of Alabama:

Section 1: The boundaries and corporate limits of the Town of West Blocton, Bibb County, Alabama, are hereby altered, re-arranged and extended so as to include within the corporate limits of the Town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

A tract of land located in the Northwest quarter of Northwest quarter of Section 24, Township 22 South, Range 6 West of the Huntsville Principal Meridian, Bibb County, Alabama, having an area of 5.0 acres, more or less, and described as follows: Begin at the Northwest corner of said Northwest quarter of Northwest quarter of Section 24; thence in an Easterly direction along the North boundary of said Northwest quarter of Northwest quarter 219.0 feet to the beginning of boundary of tract of land herein described; thence turning an angle of 89 degrees and 46 minutes to the right in a Southerly direction 473.48 feet; thence turning an angle of 89 degrees and 46 minutes to the left in an Easterly direction 460.0 feet; thence turning an angle of 90 degrees and 14 minutes to the left in a Northerly direction 473.48 feet to the intersection with the North boundary of said Northwest quarter of

Northwest quarter; thence turning an angle of 89 degrees and 46 minutes to the left in a Westerly direction along said North boundary 460.0 feet to the point of beginning.

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Centerville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 17, Sept. 24, Oct. 1, and Oct. 8, all in the year 1959.

J. W. OAKLEY, SR.,
Publisher.

Sworn to and subscribed before me October 8, 1959.

MARVIN HUETT,
Notary Public.

Also:

By Mr. Martin:
H. 944. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Eutaw in the County of Greene be and the same hereby are altered and rearranged so as to include within the corporate limits of the said City of Eutaw, Alabama all of the following described territory, to-wit:

NW¼ of NE¼ of Section 3, N½ of NW¼ of Section 3, N½ of NE¼ of Section 4, E½ of NE¼ of NW¼ of Section 4, NW¼ of NE¼ of Section 5, N½ of NW¼ of Section 5, all in Township 21 North, Range 2 East.

W½ of E½ of Section 34, W½ of Section 34, E½ of Section 33, E½ of SE¼ of SW¼ of Section 33, N½ of SW¼ of Section 33, NW¼ of Section 33, SW¼ of SE¼ of Section 32, SW¼ of Section 32, S½ of N½ of Section 32, N½ of SE¼ of Section 32, SW¼ of SE¼ of Section 28, S½ of SW¼ of Section 28, NW¼ of SW¼ of Section 28, NE¼ of SE¼ of Section 29, SE¼ of NE¼ of Section 29, all in Township 22 North, Range 2 East.

Section 2. All laws and parts of laws, either general or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 9-17-4tc

AFFIDAVIT

STATE OF ALABAMA
GREENE COUNTY

Before me personally appeared Richard K. Martin, who being duly sworn, states on oath that he is the editor of the Greene County Democrat, a weekly newspaper published in said county, and the attached notice in re CITY BOUNDARIES was published in said paper for 4 consecutive weeks, viz: Sept. 17, Sept. 24, Oct. 1 and Oct. 8, 1959.

RICHARD K. MARTIN.

Sworn to before me this 8 day of Oct., 1959.

DAVID M. HALL,
Notary Public.

Also:

By Mr. Ray:
H. 963. To amend Section 4 of the act approved August 16, 1955 establishing the law and equity court of Winston County (Act No. 242, H. 101, Acts of Alabama 1955, Vol. I, pp. 553, 555) so as to provide for the collection of trial fees in such court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL,
TO BE ENTITLED
AN ACT

To amend Section 4 of the act approved August 16, 1955 establishing the law and equity court of Winston County (Act No. 242, H. 101, Acts of Alabama 1955, Vol. I, pp. 553, 555) so as to provide for the collection of trial fees in such court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of the act approved August 16, 1955 establishing the law and equity court of Winston County (Act No. 242, H. 101, Acts of Alabama 1955, Vol. I, pp. 553, 555) is hereby amended to read as follows:

"Section 4. The clerk of the circuit court of the county shall be, by virtue of his office clerk of the Law and Equity Court of Winston County hereby established, and shall have the same powers and discharge the same duties as clerks of the circuit courts. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions and emoluments as are now or as may hereafter be allowed to circuit clerks of Alabama, which shall be collected as such fees and commissions are collected in the circuit courts, except that in civil matters where suit is brought for one hundred dollars ($100.00) or less, only the fees and commissions allowed by law to justices of the peace shall be collected. The register of the circuit court in equity shall by virtue of his office be the register of the Law and Equity Court of Winston County, and shall have the powers and discharge the duties which shall devolve upon the register of the Law and Equity Court of Winston County. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now, or as may hereafter be allowed to the registers of circuit courts in equity, which shall be collected as such fees and commissions are collected in circuit courts. (There shall be taxed and collected as a part of the costs in each case docketed in the court a trial fee of three dollars. The trial fee shall be collected in the same way as other costs are collected and when collected shall be paid into the general fund of the county.")

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Advertiser, a newspaper of general circulation published in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four weeks, the first copy of said notice appearing in the issue of said paper published on the 4th day of August, 1959, and the last copy of said publication appearing in the said paper on the 6th day of October, 1959.

JAY THORNTON.

Sworn and subscribed to before me this 6th day of October, 1959.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Ray:

H. 964. To amend Section 2 of the act approved July 23, 1931 providing for a board of education for Winston County (Act No. 539, S. 253, Local Acts of Alabama 1931, pp. 257, 258) so as to provide further for the compensation of the members of said board.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of the act approved July 23, 1931 providing for a board of education for Winston County (Act No. 539, S. 253, Local Acts of Alabama, 1931, pp. 257, 258) so as to provide further for the compensation of the members of said board.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of the act approved July 23, 1931 providing for a board of education for Winston County (Act No. 539, S. 253, Local Acts of Alabama 1931, pp. 257, 258) is hereby amended to read as follows:

"Section 2. The said Board of Education for Winston County, Alabama, shall have the same rights, power, duty, and authority as is now conferred by the general laws of Alabama on county boards of education and shall perform and exercise the same duties as is now required by such boards of education. The members of the board shall receive from the public school funds of the county twenty-five dollars a day and their actual traveling and hotel expenses incurred in attending meetings of the board and transacting the business of the board; provided, that such members shall not be allowed pay for more than twenty-four days in any one year. Their expenses shall be paid in like manner as provided for the payment of the compensation of teachers."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Advertiser, a newspaper of general circulation, published weekly in Haley-

ville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four weeks, the first copy of said notice appearing in the issue of said paper published on the 4th day of August, 1959, and the last copy of said publication appearing in the said paper on the 6th day of October, 1959.

JAY THORNTON.

Sworn and subscribed to before me this 6th day of October, 1959.

R. J. THORNTON,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 936, 937, 938, 944, 963 and 964 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 370. To amend Section 8 of the Act approved September 12, 1951, which established the Board of Revenue and Control of Chilton County (Act No. 872, H. 1118, Acts 1950-1951, vol. II, p. 1505); providing for nomination of each associate member of the board by the voters of his district.

Also:

S. 343. To provide a chief clerk for the Tax Assessor of Sumter County, Alabama, to regulate and fix his or her compensation and provide for the payment thereof and define his or her duties, and to repeal conflicting laws.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 277. To amend Section 14 of Act No. 207, S. 134, approved July 12, 1949 (Acts 1949, p. 242), the same being known as the "Alabama Coal Mine Safety Law of 1949", relating to "mine gases and quality of air"; to define certain terms used therein; and to provide further for reclassification of mines under certain circumstances.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 327. To fix the compensation of the county solicitor of Sumter County, Alabama.

Also:

S. 369. To regulate the manner of constructing, improving, maintaining, repairing, and equipping public school buildings in Chilton County.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Sessions, Perry, Edwards, Hawkins, Morrow, Locke, and Rast:

H. 994. To establish a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief or retirement and relief system heretofore established or hereafter established under Act Number 929 of Legislature of Alabama of 1951, Approved September 12, 1951 (Acts of Alabama 1951, page 1579 et seq. as amended) and on whose account, or for whose benefit, the city by whom they are employed makes no contribution, or pays no tax, to the United States of America under the Federal Social Security Act; to provide certain disability benefits for such firemen and policemen and also certain benefits for the widows and children of any such firemen or policemen who die; to make provision for a supplemental retirement benefit for such firemen and policemen, if and when said Act No. 929 is amended as stipulated in this act; to provide that from the funds of the system established by this act certain payments shall be made to the fund of the system established by said Act No. 929, subject to said Act No. 929 being amended so as to authorize the Board of Managers of the system created by said Act Number 929 to receive said payments; to establish a Board of Managers for the pension system hereby created and to provide for the method of selection of the said board and to define the power, authority and duties of the said Board of Managers; to provide for the actuarial study, investigation and report showing the probable ability or inability of the fund hereby created to meet the benefits provided for by the system created by this Act; to provide for paying from funds of the system expenses incurred in securing any such actuarial study, investigation and report; to provide that at least sixty days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall give such opinion separately and severally with respect to each

of the said benefits, and which said report or survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the fund, and if so, what change or changes he considers necessary; and to provide that the Board of Managers shall present to the members of the House of Representatives and the Senator designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 994 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the followoing Senate Bills and returns same herewith to the Senate:

S. 377. To extend, alter and rearrange the boundary and corporate limits of the City of Union Springs, in Bullock County, Alabama.

Also:

S. 379. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the judge of probate, tax assessor, tax collector, sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties; and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistance, equipment, and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices.

Also:

S. 387. To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Also:

S. 398. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide an annual allowance to the sheriff of Talladega County for the purchase of equipment and for the purchase of uniforms for the personnel of the sheriff's department.

Also:

S. 389. To regulate the duties and compensation of certain deputy sheriffs for Bullock County.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill:

S. 41. To amend further Section 64 of Title 36, Code of Alabama 1940; providing for the issuance of learner permits to persons between the ages of fifteen and sixteen years, authorizing such persons to operate motor vehicles under certain prescribed conditions.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 41, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO S. B. 41

In Section 1, strike out paragraph (b) entirely and insert the following:

"(b) Any person not less than fifteen but under sixteen years of age may obtain a permit to learn to operate a motor vehicle upon application to the judge of probate of the county in which he or she resides, which permit shall entitle such person to operate a motor vehicle when he or she is accompanied by a parent or his or her legal guardian who is duly licensed in this State as a motor vehicle operator, or when accompanied by a licensed or certified driving instructor, who is actually occupying a seat beside the motor vehicle operator. The application for a learner's permit must be accompanied by payment of a fee of fifty cents, to be distributed as provided in section 61 of this title, as heretofore or hereafter amended; and the age of the applicant must be substantiated by the applicant filing with the judge of probate a certified copy of his or her birth certificate. A permit issued under this subsection shall be in such form as the director of public safety may prescribe; it shall expire on the day after the holder thereof becomes sixteen years of age; and when the holder subsequently applies for a driver license, the certificate thereof shall be prima facie evidence that the permit holder was fifteen years of age or older on the date of its issuance. Such a permit may be suspended or revoked in the same manner and for the same causes as a driver license, and may also be revoked for any violation of the terms and conditions on which it was issued. The judge of probate shall not issue such a permit to any person until the applicant has undergone the same examination that a person applying for a driver license is required by law to undergo, with the exception of the driving test, and has produced a certificate to that effect signed by the proper examining officer."

Yeas 22; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Rutledge	
Andrews	Dumas	Hines	Shelton	
Archer	Farmer	Jones	Turner	
Caffey	Gaither	Leonard	Webb	
Cooper	Godfrey	Moses	Wilson	
Crawford	Golson	Robison		—22

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill, and returns same herewith to the Senate:

S. 90. To amend further Section 462 of Title 37 of the Code of 1940 relating to publication and recording of ordinances.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 90, the title of which is set out in the foregoing Message from the House:

HOUSE SUBSTITUTE FOR SENATE BILL 90

A BILL
TO BE ENTITLED
AN ACT

To amend Title 37 Section 462 of the Code of Alabama 1940, as amended, relating to the publication and recording of ordinances.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 462 of Title 37, Code of Alabama 1940 be and the same is hereby further amended to read as follows: "Section 462.(1999) (1258) Publication and recording of ordinances.

"(a) All ordinances shall, as soon as practicable after their passage, be recorded in a book kept for that purpose and be authenticated by the signature of the clerk.

"(b) All ordinances of a general or permanent nature, except as hereinafter provided, shall be published in some newspaper of general circulation published in the municipality, but if no such newspaper is published in the municipality, such ordinances may be published by posting copies thereof in three public places within the municipality, one of which shall be at the post office or the mayor's office in such city or town; in the event there is no newspaper published in the municipality and there is a newspaper published in the county in which the municipality is located having general circulation in the municipality, at the option of the governing body of such municipality, the ordinance may be published in such newspaper. In towns having a population of less than 2000 inhabitants, as shown by the last or any subsequent federal census, the governing body of such town shall have the option of publication of the ordinance by posting as above provided, or in a newspaper published in the town, or in the county having a general circulation in the town.

"When the ordinance is published in the newspaper it shall take effect from and after the time it shall first appear therein and when published by posting it shall take effect five days thereafter.

"(c) Immediately following the record of any ordinance the clerk shall append a certificate stating therein the time and manner of pub-

lication, which certificate shall be presumptive of the facts stated therein.

"(d) All ordinances granting a franchise shall be published at the expense of the party or parties to whom the franchise is granted.

"(e) Ordinances may adopt by reference thereto, without setting the same out at length in the ordinance, rules and regulations which have been printed as a code in book or pamphlet form, for: (1) the construction, erection, alteration, or improvement of buildings; (2) installation of plumbing or plumbing fixtures; (3) installation of electric wiring or lighting fixtures; (4) installation of gas or gas fixtures; (5) fire prevention; (6) health and sanitation; (7) milk and milk products; (8) parks; (9) airports; (10) water works and sewers and (11) traffic, if, before adopting such code in book or pamphlet form, the governing body of the city or town shall by resolution hold a public hearing of which there shall be at least 15 day notice of the time, place and purpose of such hearing by publication of the resolution once a week for two successive weeks, or by posting notices of such for such length of time, as the case may be, under subsection (b); such resolution shall provide that not less than three copies of such code shall be filed for not less than 15 days prior to the holding of the public meeting for use and examination by the public in the office of the city or town clerk. Amendments to such rules or regulations adopted as a code thereafter shall be adopted by ordinances published as herein provided in subsection (b).

"(f) The following shall not be deemed ordinances of a general or permanent nature requiring publication:

"(1) Authorizing or ratifying contracts with public utilities for utility services for a specified term.

"(2) Authorizing the issuance or sale or security of bonds, debentures, notes, warrants and other obligations, whether full faith and credit obligations or payable from general revenues, or special taxes, or from revenues of a utility or other property of a municipality.

"(g) The provisions of this section shall not apply to the adoption of a code for the revision and codification of the ordinances of a municipality and the adoption of such code by ordinance as provided in Title 37, Section 461 of the Code of Alabama 1940."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Yeas 16; Nays 2.

Yeas:

Messrs.:	deGraffenried	Godfrey	Hines	
Andrews	Dumas	Golson	Jones	
Archer	Farmer	Green	Leonard	
Caffey	Gaither	Haltom	Wilson	
Cooper				—16

Nays: Messrs. Turner and Webb. —2

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate withoout engrossment:

By Messrs. Faulk, Steagall, and Jones (Covington):
H. 445. To re-enact and amend Section 112 of Title 13, Code of Alabama 1940, relating to a division of the State into judicial circuits.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 445 — to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 330. To amend further Section 46 of Title 36 Code of Alabama 1940, as amended, so as to provide that parking lights may exhibit an amber light as well as a white light.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Bishop, Broadfoot, and Hankins:
H. 213. To provide for the relief of Paul Coburn.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 213 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 259. To allow the Sheriff of Marion County, Alabama, one additional deputy sheriff in addition to those now provided by law, and

to authorize the governing body of Marion County to pay the salary of the same; to fix the salary of said additional deputy and to make same payable out of the general funds of Marion County, in monthly installments; to authorize the Sheriff's supervision and control of said additional deputy and to provide for the appointment of the same.

Also:

S. 267. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof," in relation to the compensation of the court reporters of the Twenty-third Judicial Circuit.

Also:

S. 338. Relating to Marion County: To provide for the appointment and compensation of clerical assistance for certain county officers.

Also:

S. 339. For the relief of Lee Other Harris; authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Marion County to make an appropriation from the county treasury to compensate Lee Other Harris for certain damages.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill, and returns same herewith to the Senate:

S. 358. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Godfrey, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 358, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO S. B. 358

Substitute the following for Section 12 of the bill:

"Section 12. The proceeds of any tax imposed under authority of this Act shall be paid into a special fund in the county treasury for use as provided in Section 14."

Also, in Section 13, strike out "Tax Commission of Alabama" and insert "Department of Revenue or the commissioner thereof";

Also, substitute the following for Section 14 of the bill:

"Section 14. Expenditures from the special fund provided for in Section 12 shall be made exclusively for the purpose of matching federal or state funds in the construction of improved roads and bridges in DeKalb County in the same manner as other county funds are used to match federal and state funds under the Farm to Market Road Act of 1943, as amended, and for payment of the costs incurred in the administration and enforcement of this Act."

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Jones	Robison
Andrews	Givhan	Kendall	Rutledge
Archer	Godfrey	Leonard	Shelton
Barnett	Golson	Moses	Turner
Caffey	Graham	Porter	Webb
Cooper	Green	Roberts	Wilson
Crawford			—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cornett, Hocklander, Murphy, and Hanby:
H. 469. To amend further Section 154 of Title 8, Code of Alabama 1940 providing for licensing the use of seines, trawls, and other devices to catch salt water shrimp, in relation to the use of trawls.

Also:

By Messrs. Cornett, Hocklander, Murphy, and Hanby:
H. 464. To provide for the patrolling and protection of private oyster reefs and to provide certain requirements of the owners or lessees of such private oyster reefs.

Also:

By Messrs. Cornett, Hocklander, Murphy, and Hanby:
H. 468. To amend further an act approved August 15, 1947 (Act No. 322, H. 97, General Acts 1947, p. 211) relating to permits and licenses for taking or catching live shrimp for use or sale as bait.

Also:

By Messrs. Cornett, Hocklander, Murphy, and Hanby:
H. 463. To amend further Section 2 of an act approved July 7, 1943 (Act No. 587, S. 117, General Acts 1943, p. 590) making it unlawful

to use or have in possession for use seines, trawls, or other fishing devices of a size of mesh contrary to the rules and regulations of the department of conservation, for the purpose of catching salt water fish or seafoods or minnows or other baits, etc.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 469 — to the Committee on Finance and Taxation

H. B. 464 — to the Committee on Judiciary

H. B.'s 468 and 463 — to the Commission on Fish and Game

MOTION TO RECONSIDER

Mr. Haltom moved that the Senate reconsider the vote by which it concurred in the House amendment to the Bill, S. B. 90, and the motion to reconsider was lost.

Yeas 10; Nays 13.

Yeas:

Messrs.:	Green	Moses	Turner	
Barnett	Haltom	Rutledge	Webb	
Dumas	Leonard	Shelton		—10

Nays:

Messrs.:	Cooper	Gaither	Hines	
Andrews	Crawford	Godfrey	Jones	
Archer	deGraffenried	Golson	Robison	
Caffey	Farmer			—13

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Roberts:

H. 843. To redefine the term "Authorized emergency vehicle" as used in Chapter 1 of Title 36, Code of Alabama 1940; amending further Section 1 of said Title 36, Code 1940.

Also:

By Messrs. Rogers, Jones (Covington), Adams (Houston), Powell, Britton and Solomon:

H. 66. To authorize any county board of registrars which is not furnished clerical assistance to reserve certain meeting days for the performance of such necessary clerical work as may be required of the board in connection with the discharge of its duties.

Also:

By Messrs. Rogers, Jones (Covington), Adams (Houston), Powell, Britton and Solomon:

H. 67. To amend further Section 26 of Title 17, Code of Alabama (1940), which relates to meetings of county boards of registrars.

Also:

By Messrs. Dodd, Casey, Jones (Covington), Ramey, Cabiness, Gross, Speaks, Callahan, Ferguson, Harris, Hain, Hardy, Gilmer, Perry, Johnson (J. T. Tom), Copeland, Reynolds (Chambers), McClendon (Chambers), Jenkins, Long (Perry), Barnett, Cates, Guthrie, Shumate, Bevill, Branyon, Steagall, Bishop, Broadfoot, Long (Lauderdale), Sessions, Locke, Morrow, Rast, Turner, Sullivan, Self, Smith (St. Clair), Grouby, Faulk, Jones (Monroe), McCorquodale, Bounds, Oakley, Daniel, Grant, Britton, Glass, Taylor, Brannan, Brooks, Owens, Rozelle, Salter, Adams (Houston), Rogers, Chambers, Bailey, Lee, Hocklander, Phillips, Goodwyn, Albea, Camp, Oden, Ray, and Reynolds (Madison):

H. 373. To amend Section 171 of Title 7, Code of Alabama 1940, relating to actions for validation of obligations of political subdivisions of the state.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.' 843, 66, 67 and 373 — to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Adams (Houston):

H. 449. Relating to the registration and transfer of securities by fiduciaries, and defining and limiting liability with respect thereto, and to make uniform the law with reference thereto, and to repeal Section 3 of Act 557, S. 174, approved July 7, 1943 (General Acts of Alabama, 1943, page 544) known as the Uniform Fiduciaries Act.

Also:

By Mr. Adams (Houston):

H. 450. Providing that the designation of beneficiaries of any trust set up for any group of employees shall be valid and that any trustee or other person may properly make payments to any person designated as a beneficiary of such a trust.

Also:

By Mr. Adams (Houston):

H. 451. To amend Section 1 of Act No. 306, H. 253, approved July 7th, 1945 (General Acts of Alabama, 1945, page 499) entitled "An Act to relieve from the operation of any existing laws against perpetuities or suspension of the power of alienation of title to property a trust

of real or personal property created by an employer as a part of the stock bonus plan, pension plan, disability or death benefit plan, or profit sharing plan for the exclusive benefit of some or all of the employer's employees" by further relieving such trusts from the operation of any existing laws against trusts for the accumulation of income, and extending the coverage of said Act, as amended, to retirement trusts created by self-employed persons.

Also:

By Mr. Adams (Houston):

H. 713. To amend Section 5 of Act No. 247, S. 69, approved July 29, 1953 (Acts of Alabama, 1953, page 311) entitled "An Act relating to banks and banking; to provide for the retention and disposition of bank records, and for other purposes," by providing for the reproduction of bank records by processes in addition to the microphotographic process and by providing that such reproductions may be retained by banks in lieu of the originals thereof.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 449, 450, 451 and 713 — to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Brewer and Gilchrist:

H. 971. To prohibit the taking of fish from the public waters of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, with hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 971 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bailey, Goodwyn and Pierce:

H. J. R. 87. RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the two houses extend thanks to the Commissioner and Board of Corrections and the genial and hospitable employees of the Department of Corrections for the dove shoot and barbecue given in honor of the members on Thursday, October 24, at the Department's cattle ranch near Greensboro. This affair was enjoyed tremendously by all who attended; and our hosts are warmly commended for their solicitous concern for our comfort, pleasure, and enjoyment.

RESOLVED FURTHER, That the Clerk be directed to send copies of this resolution to the Commissioner of Corrections, the individual members of the Board of Corrections, and Hon. Frank Lee, Deputy Commissioner of Corrections.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 87, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the Bill, H. 803, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am herewith transmitting you a message from the Governor, relative to House Bill No. 803.

Respectfully submitted,

JOSEPH G. ROBERTSON,
Executive Secretary.

OCTOBER 16, 1959

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 803, with suggested executive amendments as follows:

Amend House Bill No. 803 by striking therefrom the following from Section 2 of said bill:

"(a) Upon every person, firm, or corporation (including the State of Alabama and its Alcoholic Beverage Control Board in the sale of alcoholic beverages of all kinds, the University of Alabama, and all other institutions of higher learning in the county, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged, or continuing within the county, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1%) of the gross proceeds of sales of the business, except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the entire business."

and substituting in lieu thereof the following:

"(a) Upon every person, firm, or corporation (including the University of Alabama, and all other institutions of higher learning in the county, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged, or continuing within the county, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1%) of the gross proceeds of sales of the business, except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the entire business."

Amend House Bill No. 803 further by adding the following:

"Section 2 (d). The sale of school lunches sold by all public and private schools in Tuscaloosa County, Alabama, is hereby expressly exempted."

If the said executive amendments suggested above are adopted, the objections to the bill will be removed.

Respectfully,

JOHN PATTERSON,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 803, by a vote of Yeas 74, Nays 0, which was a majority of the whole number elected to the House.

And said bill:

H. 803. To amend Sections 1, 3, and 4 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953

(Acts of Alabama, Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; altering, modifying, and changing the rates of tax provided for therein and extending the applicability of such taxes to certain sales and to the storage, use, or other consumption of certain property within Tuscaloosa County heretofore exempt, and redefining certain terms.

as amended by the amendment proposed by His Excellency the Governor, was again read at length and passed by a vote of Yeas 73, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. deGraffenried, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 803, the title of which and said Executive Amendment, is set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Godfrey	Leonard	
Andrews	Dumas	Golson	Rutledge	
Archer	Eddins	Haltom	Shelton	
Barnett	Farmer	Hines	Turner	
Caffey	Gaither	Jones	Webb	
Cooper	Givhan	Kendall	Wilson	
Crawford				—24

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the Executive Amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Godfrey	Leonard	
Andrews	Dumas	Golson	Rutledge	
Archer	Eddins	Haltom	Shelton	
Barnett	Farmer	Hines	Turner	
Caffey	Gaither	Jones	Webb	
Cooper	Givhan	Kendall	Wilson	
Crawford				—24

Nays: —0

which was a majority of the whole number elected to the Senate.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-first Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Thirty-first Legislative Day was approved by the Senate.

ADJOURNMENT

At 8:05 P. M., on motion of Mr. Robison, pending further consideration of S. B. 316, the Senate adjourned until Friday, October 30, 1959, at 10 o'clock A. M.

THIRTY-SECOND LEGISLATIVE DAY

FRIDAY, OCTOBER 30, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend Arnold F. McRae, Pastor, Cloverdale Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Eddins	Hines	Rutledge	
Archer	Farmer	Jones	Samford	
Barnett	Gaither	Kendall	Shelton	
Berryman	Givhan	Leonard	Turner	
Caffey	Godfrey	Moses	Webb	
Cooper	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Wyatt	
deGraffenried	Green			—33

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business of yesterday, which was the Bill:

S. 316. To implement the powers of the Governor as conservator of the peace and to authorize the Governor to close any school, trade school, or institution or any branch or department thereof under the control of the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Institute for Deaf and Blind or the State Board of Education; and to provide for the effective date of this Act.

The question was on the substitute offered by Mr. Andrews for the Bill and pending Committee substitute, which said substitutes are set out at length in the Journal of the Senate for the Thirty-first Legislative Day.

BILLS ON THIRD READING

The Bill:

H. 975. To amend Section 33 of Act No. 100 enacted at the Second Special Session of the Legislature of Alabama of 1959, entitled "An Act to raise revenue: Levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented."

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Crawford	Godfrey	Roberts
Andrews	deGraffenried	Golson	Robison
Archer	Dumas	Green	Rutledge
Barnett	Eddins	Haltom	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Leonard	Webb
Cooper	Givhan	Moses	Wilson

—27

Nays: —0

RESOLUTION

Messrs. Hines, Jones, Andrews and Samford offered the following Senate Joint Resolution, to-wit:

S. J. R. 37. WHEREAS certain errors were inadvertently made in the biographical sketch pertaining to Judge Will Walton as set out in Senate Joint Resolution No. 29, adopted October 9, 1959, and in order that these errors may be corrected so that a proper minute may be spread upon the journal of each House as provided in said S. J. R. 29; be it

RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That said S. J. R. 29 be and the same hereby is amended to read as follows:

By Messrs. Hines, Jones, Andrews and Samford:

S. J. R. 29. WHEREAS the two Houses of the Legislature of Alabama have heard with deep regret and profound sorrow of the death of Honorable William Ora Walton, well-beloved judge of the Fifth Ju-

dicial Circuit of Alabama, and a former Senator (1935-1939; 1943-1947) and Representative (1923-1927) from Chambers County; and

WHEREAS the two Houses, as a mark of respect for this peerless gentleman, able and devoted public servant, prodigious wit, and matchless raconteur, do now RESOLVE that the following minute be spread upon the records of each House, on a separate page of the journal:

Judge William Ora Walton died in LaFayette, Chambers County, October 1, 1959. He was born at Waverly, Alabama, December 6, 1892, attended Waverly public schools and Birmingham College Training School, was graduated from Birmingham-Southern College and Cumberland University, and studied criminal law at Law Society Hall, London. He married Lynda Ruth Tatum, of Chambers County, Alabama, the mother of his two fine sons, William Ora Walton, Jr. and James Richard Walton. Judge Walton was a brave and distinguished soldier during World War I. Admitted to the Alabama Bar in 1922, he was an outstanding lawyer, a statesman, scholar, and patriot. His years were filled with useful deeds of kindness, of courage and fidelity to his State and to his fellowmen. His passing is deeply mourned.

RESOLVED FURTHER, That the Secretary of the Senate be directed to transmit a copy of these resolutions to the family of the deceased.

And on motion of Mr. Hines, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 87. Relative to extending thanks to the Commissioner and Board of Corrections and employees of the Department of Corrections for the dove shoot and barbecue given in honor of the members on Thursday, October 24, 1959, at the Department's cattle ranch near Greensboro.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 703. To make an appropriation to the Cahaba Historical Commission.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 805. To levy in Walker County a county license tax, in addition to all other taxes or licenses now required by law, on each package of cigarettes sold, stored, or received, for the purpose of distribution to any person, firm, corporation, club, or association within the county; to provide for the payment of the tax by the purchase and sale of stamps to be affixed to each package of cigarettes sold or distributed in such county; to provide for the ascertainment, collection, payment, distribution, and use of such license tax and for the enforcement of this Act; and to prescribe penalties and fix the punishment for violations of the Act.

Also:

H. 806. To make an annual appropriation from the general fund of Walker County to support the Peoples' Hospital of Walker County.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 75. Relative to the Executive Department Bureau of the Budget removing any restrictions on the Corps of Engineers, U. S. Army in the allocation of funds for development of the authorized projects on the Alabama-Coosa River System.

Also:

H. J. R. 76. Relative to the death of Colonel James P. Clinton of Tuscaloosa.

Also:

H. J. R. 77. Relative to commending the members of the Kiwanis Club for their sponsorship of the 6th Annual South Alabama Fair.

Also:

H. J. R. 78. Relative to the death of Judge Frank O. Deese of Dale County.

Also:

H. J. R. 79. Relative to the death of Samuel Cornelius Nettles of Wilcox County, father of Representative Sam C. Nettles, Jr.

Also:

H. J. R. 80. Relative to the death of Professor J. E. Henley of Florala, Alabama.

Also:

H. J. R. 82. Relative to the death of Samuel Palmer Gaillard of Mobile, Alabama.

Also:

H. J. R. 83. Relative to commending the officers and members of Alabama Farm Bureau for their decision to hold their 1959 annual meeting in Montgomery.

Also:

H. J. R. 86. Relative to the death of Judge Eleanor Montgomery Coleman, wife of Justice James S. Coleman, and the daughter of the late Judge L. H. Montgomery.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 803. To amend Sections 1, 3, and 4 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; altering, modifying, and changing the rates of tax provided for therein and extending the applicability of such taxes to certain sales and to the storage, use, or other consumption of certain property within Tuscaloosa County heretofore exempt, and redefining certain terms.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively and finds same correctly enrolled, to-wit:

S. 90. To amend Title 37 Section 462 of the Code of Alabama 1940, as amended, relating to the publication and recording of ordinances.

Also:

S. 330. To amend further Section 46 of Title 36 Code of Alabama 1940, as amended, so as to provide that parking lights may exhibit an amber light as well as a white light.

Also:

S. 338. Relating to Marion County: To provide for the appointment and compensation of clerical assistance for certain county officers.

Also:

S. 339. For the relief of Lee Other Harris; authorizing and directing the board of revenue, court of county commissioners, or other like governing body of Marion County to make an appropriation from the county treasury to compensate Lee Other Harris for certain damages.

Also:

S. 358. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing, or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Also:

S. 377. To extend, alter and rearrange the boundary and corporate limits of the City of Union Springs, in Bullock County, Alabama.

Also:

S. 379. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County, in its discretion, to provide branch offices in the City of Sylacauga for the use of the judge of probate, tax assessor, tax collector, sheriff, or their clerks or deputies, or other officers of Talladega County, in the performance of their official duties; and to authorize and empower the governing body of Talladega County to furnish office space, clerical assistance, equipment, and supplies necessary for the proper and efficient operation of such branch offices and to adopt rules and regulations governing the operation of such branch offices.

Also:

S. 387. To alter and re-arrange the boundary lines of the City of Homewood, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Also:

S. 389. To regulate the duties and compensation of certain deputy sheriffs for Bullock County.

Also:

S. 398. To authorize and empower the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide an annual allowance to the sheriff of Talladega County for the purchase of equipment and for the purchase of uniforms for the personnel of the sheriff's department.

Also:

S. 259. To allow the Sheriff of Marion County, Alabama, one additional deputy sheriff in addition to those now provided by law, and to authorize the governing body of Marion County to pay the salary of the same; to fix the salary of said additional deputy and to make same payable out of the general funds of Marion County, in monthly installments; to authorize the Sheriff's supervision and control of said additional deputy and to provide for the appointment of the same.

Also:

S. 267. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof," in relation to the compensation of the court reporters of the Twenty-third Judicial Circuit.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 34. Mourning the passing of William T. Callahan, Jr. and Arthur Blackmon and expressing sympathy.

HUGH MOSES,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution, with the original Senate Bills and Senate Joint Resolution, respectively and finds same correctly enrolled, to-wit:

S. 41. To amend further Section 64 of Title 36, Code of Alabama 1940; providing for the issuance of learner permits to persons between the ages of fifteen and sixteen years, authorizing such persons to operate motor vehicles under certain prescribed conditions.

Also:

S. 277. To amend Section 14 of Act No. 207, S. 134, approved July 12, 1949 (Acts 1949, p. 242), the same being known as the "Alabama Coal Mine Safety Law of 1949", relating to "mine gases and quality of air"; to define certain terms used therein; and to provide further for reclassification of mines under certain circumstances.

Also:

S. 327. To fix the compensation of the county solicitor of Sumter County, Alabama.

Also:

S. 343. To provide a chief clerk for the Tax Assessor of Sumter County, Alabama, to regulate and fix his or her compensation and provide for the payment thereof and define his or her duties, and to repeal conflicting laws.

Also:

S. 369. To regulate the manner of constructing, improving, maintaining, repairing, and equipping public school buildings in Chilton County.

Also:

S. 370. To amend Section 8 of the Act approved September 12, 1951, which established the Board of Revenue and Control of Chilton County (Act No. 872, H. 1118, Acts 1950-1951, vol. II, p. 1505); providing for nomination of each associate member of the Board by the voters of his district.

Also:

S. J. R. 30. Mourning the passing of Judge David H. Edington and expressing sympathy.

HUGH MOSES,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones:

S. 462. To alter, rearrange and extend the boundaries of Dadeville, Tallapoosa County; repealing Section 2 of Act No. 286, H. B. 197, passed at the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p. 328).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of Dadeville, Tallapoosa County; repealing Section 2 of Act No. 286, H. B. 197, passed at

the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p. 328).

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate limits of the town of Dadeville, Tallapoosa County, are hereby altered, rearranged, and extended so as to embrace and include all tracts, lots and parcels of land in a boundary extending one and one-half miles in every direction from the center of the courthouse square in said town.

Section 2. Section 2 of Act No. 286, H. B. 197, passed at the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p. 328) and all other laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 6, October 13, October 20, and October 27, all in the year 1959.

J. C. HENDERSON.

Sworn to and subscribed before me October 28, 1959.

T. C. WOLSONCROFT,
Notary Public.

My Commission Expires May 14, 1963.

By Messrs. Dumas, Eddins, Roberts, Rutledge, Andrews, Givhan, Crawford, Cooper, Wilson, Green and Farmer:

S. 463. To protect and preserve basic trust and fiduciary purposes and interests inherent in the intent and understanding when property in Alabama shall have been subjected or devoted to local fraternal uses; to prevent impairment of such intent and to preserve the charitable or trust use intended, from subjection to uses, functions or rules subversive of such intent or inconsistent with social order, harmony and good will in the administration thereof as a result of or in the event of action by any higher or affiliate order or other authority affecting the administration or use of the property; and to provide for re-payment of loans or grants made by the parent order (or its affiliated organization) to the local fraternity as those terms are herein defined; and to provide procedure for protection and preservation of such intent and the fraternal, charitable or educational use involved and said declaratory act to that end.

Committee on Judiciary.

By Mr. Dumas:
S. 464. To protect the public health in the handling of milk and milk products and to authorize the County Health Officer in any county having a population of 500,000 or more inhabitants according to the last or any subsequent Federal Census to enforce the provisions of this Act in regard to the handling of milk or milk products, their sources and the methods of processing, and to provide penalties for the violation of any provision of this Act.

Committee on Local Legislation.

By Mr. Dumas:
S. 465. To provide for the relief of Jack Coggins, of Jefferson County, by making an appropriation to him from the state treasury.

Committee on Finance and Taxation.

By Mr. Robison:
S. 466. To make an additional appropriation for payment of expenses of the Legislature.

Committee on Finance and Taxation.

By Mr. Farmer:
S. 467. To amend Section 15 of Act No. 75 adopted at the First Special Session of the Legislature of Alabama of 1959 pertaining to records of the proceedings of and resolutions and ordinances adopted by Boards of Commissioners in certain cities having the commission form of government.

Committee on Local Legislation.

By Mr. Givhan:
S. 468. To provide for and require the vaccination or immunization of pre-school age children against poliomyelitis; prescribing penalties.

Committee on Judiciary.

By Messrs. Dumas, Word, Rutledge, Archer, Godfrey, Wyatt, Leonard and Roberts:
S. 469. to make an appropriation for a tentative or preliminary survey of the Mulberry Fork of the Black Warrior River for the purpose of promoting the development of a waterway system connecting the Tennessee River and the Warrior River in the State of Alabama.

Committee on Finance and Taxation.

By Mr. Robison:
S. 470. Making an appropriation for the relief of M. W. Stuart of Montgomery County; authorizing the State Highway Department to compensate the said M. W. Stuart for property damages incurred under such circumstances that said State Highway Department is morally and justly obligated to pay same, for the recovery of which he has no right of action or legal recourse.

Committee on Finance and Taxation.

By Mr. Givhan:
S. 471. To fix the salary of the Director of the Department of Insurance.

Committee on Finance and Taxation.

By Mr. Moses:

S. 472. To amend Act No. 243, House Bill 685, approved August 13, 1957, (Acts of Alabama 1957, Page 308), Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county body may levy an additional county privilege or excise tax on tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,
COUNTY OF COLBERT.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 243, House Bill 685, approved August 13, 1957, (Acts of Alabama 1957, Page 308), Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county body may levy an additional county privilege or excise tax on tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 243, House Bill 685, approved, August 13, 1957, (Acts of Alabama, 1957, Page 308), is amended by adding the following sentence at the end of the said Section 3. "Cigars packaged in quantities of two or more and not less or not more than ten shall have stamps in denominations to the amount of the tax affixed to the box, package or container in which they are packaged."

Section 2. Section 6 is amended as follows:

"Section 6 (A). After the tax herein authorized has been levied in accordance with the provisions of this Act, no person, firm or corporation shall sell, store, or distribute tobacco or tobacco products, which are subject to such tax, without complying with the provisions of this Act and the rules and regulations promulgated and adopted by the county governing body pursuant thereto, and paying any and all tax which such person, firm or corporation may be liable under this Act. Every person, firm, or corporation selling, storing, or distributing in Colbert County any tobacco or tobacco products shall keep such books, documents, papers, and other such records as will enable the county governing body, or an authorized employee thereof, to determine the amount of the tax due the county under this Act, and such records shall at all reasonable times be open to inspection by the county governing body, or any officer or employee thereof charged with the duty of collecting and enforcing the tax, and such person, firm or corporation shall make available to the county governing body or any authorized officer, agent or employee thereof all stocks of tobacco products as defined in this act which may be in possession of the person, firm or corporation, at all reasonable times in order to enable the said county governing body or any authorized officer, agent, or employee thereof charged with the duty of collecting and in forcing the tax, to inspect the said goods to determine if the proper stamps as provided by this Act are affixed to the said tobacco or tobacco products as provided by this Act.

(B). Any tobacco or tobacco products taxable under the provisions of this act, found at any point within Colbert County, Alabama, which said tobacco or tobacco products taxable under the provisions of this act, not having affixed to the package or product, as above defined, the stamps as above provided are hereby declared to be contraband goods and the same may be seized by the officer or employee of the County governing body charged with the duty of collecting and enforcing the tax, without a warrant and the said goods shall be delivered to the county governing body of Colbert County, Alabama for sale at public auction to the highest bidder after due advertisement, but the county governing body before delivering any of said goods so seized, shall require the purchaser to affix the proper amount of stamps to the individual package or product as above defined. The proceeds of sale for any goods sold hereunder shall be turned over to the County Treasury, and shall be appropriated for the purposes as set out in Section 7 of this act; Provided, that the cost of confiscation and sale shall be paid out of the proceeds derived from such sale before making remittance to the treasurer.

(c). In all cases of seizure of any tobacco or tobacco products, or other property hereafter made as being subject to forfeiture under provisions of this subdivision which in the opinion of the officer, or person making the seizure, are of the appraised value of fifty dollars, or more, the said officer or person shall proceed as follows; First, he shall cause a list containing a particular description of the goods, wares, merchandise, or other property seized to be be effected. Second, if the said goods prepared in duplicate and an appraisers to be selected by him, who shall be respectable and disinterested citizens of the State of Alabama, residing within the Colbert County. Said list and appraisement shall be properly attested by said officer, or person, and the said appraisers, for which service each of said appraisers shall be allowed the sum of one dollar per day, not exceeding two days, to be paid by the County governing body out of any revenue received by it from the sale of the confiscated goods or the compromise which may be effected. Second, if the said goods are believed by the officer making the seizure to be of value of less than fifty dollars, no appraisement shall be made.

The said officer, or person, shall proceed to post a notice for three weeks, in writing at three places in the county where the seizure was made, describing the articles and stating the time and place and cause of their seizure and requiring any person claiming them to appear and make such claim in writing within thirty days from the date of the first posting of such notice. Third, any person claiming the said tobacco or tobacco products, or other property so seized as contraband within the time specified in the notice, may file with the county governing body a claim in writing, stating his interest in the articles seized, and may execute a bond to the county governing body in a penal sum equal to double the value of said goods so seized, but in no case shall said bond be less than the sum of two hundred dollars, with sureties to be approved by the Chairman of the Board of Revenue of Colbert County, conditioned that in the case of condemnation of the articles as seized, the obligors shall pay to the county governing body the full value of the goods so seized and all costs and expenses of the proceedings to obtain such condemnation, including a reasonable attorney's fee. And upon the delivery of such bond to the county governing body, it shall transmit the same with the duplicate list or description of the good seized to the solicitor of the Colbert Circuit Court, and the said solicitor shall file a bill in the Circuit Court in equity to secure the forfeiture of said tobacco or tobacco products or other property. Upon the filing of the bond aforesaid and said goods shall be delivered to the claimant pending the outcome of said case; provided, however, said goods must have the proper stamps affixed to each such article of tobacco or tobacco product before turning same over to claimant, the stamps so affixed to be paid for by claimant when goods properly stamped are delivered by the County Governing Body. Fourth. If no claim is interposed and no bond given within the time above specified, such tobacco or tobacco products or other property shall be forfeited without further proceedings and the same shall be sold as herein provided. And the proceeds of sale when received by the county governing body shall be turned in to the treasury as other revenues are required by law to be turned in: Provided, that in seizure in quantities of less value than fifty dollars, the same may be advertised with other quantities in Colbert County, Alabama, by the county governing body and disposed of as hereinabove provided. The proceedings against tobacco or tobacco products, other property, pursuant to the provisions of this subdivision, shall be considered as proceedings in rem unless otherwise herein provided. Provided, however, should the county governing body have to resort to the courts for collections of the tax due and assessed, no advertisement shall be made and the confiscated tobaccos may be held as evidence pending the results of court action.

(D). The county governing body may in its discretion return any tobacco or tobacco products or other property confiscated under this subdivision or any part thereof, when it is shown that there was not intention to violate the provisions of this subdivision. Provided, when any tobacco or tobacco products or other property, are confiscated under the provisions of this subdivision, the county governing body may, in its discretion, return such goods to the parties from whom they are confiscated if and when such parties shall pay to the county governing body, or its duly authorized representative, an amount equal to the tax due under this subdivision on the goods confiscated, and in such cases no advertisement shall be made or notices in connection with said confiscation. The county governing body may promulgate rules and regulations governing the stamping of any articles or commodities enumerated herein handled by persons, firms, or corporations operation on interstate common carriers. Any rules or regulations of the county governing body, when duly made and promulgated shall have the full force and effect of law.

(E). Whoever removes or otherwise prepares any Colbert County Public Hospital Tax stamps with intent to use, or cause the same to be used, after it has already been used, or buys, sells, offers for sale, or gives away any such washed or removed or restored stamps to any person for using or who used the same, or any person, firm, corporation, who shall re-use or refill with any tobacco products enumerated herein, any box, package or container from which tobacco products theretofore tax-paid have been removed shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars, nor more than five hundred dollars.

STATE OF ALABAMA
COLBERT COUNTY.

I, W. F. Miller, publisher of Colbert County Reporter, a newspaper of general circulation, published in Tuscumbia, Colbert County, Alabama, for 52 consecutive weeks, past, hereby certify that the attached notice of a local law for Colbert County, Alabama, was published in said Colbert County Reporter for four consecutive weeks, in the issues of October 8, 15, 22 and 29, 1959.

W. F. MILLER.

Sworn to and subscribed before me this 30th day of October, 1959.

FRANCES DI RAGO,
Notary Public.

REPORTS OF COMMITTEES

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rutledge (with notice and proof):
S. 443. To authorize the sheriff of Blount County to appoint an additional deputy whose compensation shall be paid by the county.

By Mr. Rutledge (with notice and proof):
S. 444. To amend Act No. 111, H. 417, approved June 3, 1943 (Local Acts, 1943, p. 65), entitled "An Act To allow the Sheriff of Blount County, Alabama an additional Deputy Sheriff to that now provided by law; to fix the salary of said Deputy and to make the same payable out of the general funds of Blount County in monthly installments."

By Mr. Rutledge (with notice and proof):
S. 445. To amend further Act No. 350, H. 943, approved September 6, 1935 (Local Acts, 1935, p. 213), entitled "An Act To allow the Sheriff of Blount County, Alabama, an additional deputy sheriff to that now provided by law; to fix the salary of said deputy and to make the same payable out of the General Funds of Blount County in monthly installments."

By Mr. Rutledge (with notice and proof):
S. 446. To amend further Act No. 110, H. 416, approved June 3, 1943 (Local Acts, 1943, p. 65), entitled "An Act To prescribe the salary and the manner of payment of the same, of the Jailer of Blount County, Alabama."

By Mr. Rutledge (with notice and proof):

S. 447. To provide a salary for the Coroner of Blount County, and to describe the manner of payment thereof: and making this Act effective upon approval of the voters of the county voting at a referendum.

By Mr. Rutledge (with notice and proof):

S. 448. Providing for the appointment of a Clerk or secretarial assistant for the County Solicitor of Blount County, and for the payment of the compensation of such clerk or assistant from the County Treasury; and making this Act effective upon the approval of the voters of the County voting at a referendum.

By Mr. Kendall (with notice and proof):

S. 453. To amend further Act No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties, and authority of the county superintendent of education of Conecuh County (Local Acts 1939, p. 319), in relation to the compensation and expense allowance of the county superintendent of education; repealing Act No. 152, H. 402, approved June 30, 1953 (Acts of Alabama, 1953 Reg. Sess., vol. I, p. 192) and all conflicting laws.

By Mr. Moses (with notice and proof):

S. 458. To re-establish the County Court of Franklin County in lieu of the Law and Equity Court of Franklin County; abolishing the Law and Equity Court; providing for the transfer of the cases pending therein to the court hereby established or to the circuit court; defining the jurisdiction of the court hereby established; providing it with officers; defining their powers, duties, salaries, compensation, term of office and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; and providing for appeals from the court hereby established.

By Mr. Dumas:

S. 459. To apply in all counties of the State having a population of not less than 500,000 according to the last or any subsequent Federal decennial census; to authorize the county commission of any county to which this act applies to call an election for the approval or disapproval of central daylight savings time; providing for the ordering and holding of such election.

By Mr. Dumas (with notice and proof):

S. 460. To extend, alter and rearrange the boundary lines and corporate limits of the city of Irondale in Jefferson County, Alabama, so as to include within the corporate limits of said city of Irondale all territory now within such corporate limits and also certain other territory contiguous thereto.

By Mr. Dumas:

S. 461 To prohibit any person who has attained the age of 70 years from holding any position in the classified service in any county to which Act No. 248, General Laws of Alabama, approved July 6, 1945 (1945 Acts, pp. 376-400), entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the

supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof," applies and to provide that this Act shall become effective January 1, 1962.

By Mr. Franklin:

H. 836. Relating to counties having a population of less than 11,800, according to the last or any subsequent Federal Decennial Census; to authorize the Court of County Commissioners, Board of Revenue or other like governing body to designate Deputy Sheriffs as County Traffic Control Officers and to provide for the payment of their compensation, in whole or in part, from the Public Highway and Traffic Control Fund.

By Mr. Cook (with notice and proof):

H. 841. To alter, rearrange and extend the boundaries of the Town of Kinston in Coffee County.

By Mr. Meade (with notice and proof):

H. 870. To amend an act approved September 1, 1939, authorizing the governing body of Cherokee County to levy and collect a gasoline tax (Act No. 314, H. 700, Local Acts 1939, p. 200) so as to exclude diesel fuel as a taxable fuel under the act.

By Mr. Hankins (with notice and proof):

H. 877. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

By Messrs. Turnham and Torbert (with notice and proof):

H. 878. To extend, alter and rearrange the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama.

By Mr. Owens (with notice and proof):

H. 904. Relating to Crenshaw County; providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

By Mr. Owens:

H. 905. To provide for the payment of certain expenses of the county or deputy solicitors of all counties having a population of not less than 18,700 nor more than 19,000, according to the most recent federal decennial census.

By Mr. Franklin:

H. 909. Proposing an amendment to the Constitution of Alabama relating to the levying of special property taxes in Coosa County for school purposes.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Steagall (with notice and proof):

H. 910. Relating to the municipality of Ozark, in Dale County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Ozark, exempting annexed farm land and appurten-

ances from municipal ad valorem taxation so long as the same is used for farm purposes.

By Mr. Ray (with notice and proof):

H. 932. To establish the Winston County Court of Law and Equity in lieu of the court established by Act No. 242, H. 101, approved August 16, 1955 (Acts of Alabama, Regular Session 1955, vol. I, pp. 553-559); to define the jurisdiction and powers of said court, provide for its officers, their appointment, election, term of office, powers, duties, and compensation, and to provide that the court shall be open at all times for the transaction of business, and to authorize the judge to fix the time of holding sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice, and procedure, and to give such rules the force and effect of law; to abolish the court established by said Act No. 242 of August 16, 1955, and provide for the transfer of all cases pending therein to the court hereby established.

By Mr. Ray (with notice and proof):

H. 933. To amend Sections 1 and 2 of Act No. 291, H. 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and uses taxes levied in the city of Haleyville, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of that city (Acts of Alabama, Regular Session 1957, vol. I, p. 369).

By Mr. Guthrie:

H. 935. To provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census.

By Mr. Speaks (with notice and proof):

H. 940. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Clanton, in Chilton County, Alabama.

By Mr. Martin (with notice and proof):

H. 944. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

By Mr. Ray (with notice and proof):

H. 963. To amend Section 4 of the act approved August 16, 1955 establishing the law and equity court of Winston County (Act No. 242, H. 101, Acts of Alabama 1955, Vol. I, pp. 553, 555) so as to provide for the collection of trial fees in such court.

By Mr. Ray (with notice and proof):

H. 964. To amend Section 2 of the act approved July 23, 1931 providing for a board of education for Winston County (Act No. 539, S. 253, Local Acts of Alabama 1931, pp. 257, 258) so as to provide further for the compensation of the members of said board.

By Mr. Faulk (with notice and proof):

H. 972. To further amend Section Two of Act No. 538, Local Acts of the Legislature, 1939, approved September 16, 1939, which said Section Two was amended by Act No. 651 of the Legislature of 1947, approved October 9, 1947, which said Act No. 538 established in Geneva County, Alabama, a Court of Record to be known as the "Inferior Court of Geneva County"; and to provide that said Court have limited equity jurisdiction and to provide for a Register of said Court and a stenographer for the Judge of said Court and fix her salary.

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa) (with notice and proof):

H. 980. To alter, rearrange and describe the boundary lines and corporate limits of the City of Alexander City, Tallapoosa County, Alabama.

By Messrs. Bailey, Pierce, Goodwyn and Goldthwaite (with notice and proof):

H. 987. To alter, rearrange and extend the boundaries of the City of Montgomery, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

By Mr. Cates (with notice and proof):

H. 988. To abolish the fine and forfeiture fund of Shelby County; to provide for the payment of all fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

By Messrs. Albea and Merrill (with notice and proof):

H. 998. To alter, extend and rearrange the boundary lines and corporate limits of the City of Piedmont in Calhoun County, so as to annex certain territory to the city.

By Mr. Dodd (with notice and proof):

H. 842. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

By Messrs: Gilmer, Hardy and Hain (with notice and proof):

H. 871. To amend Act No. 194 which was duly passed at the Regular Session, 1957, Legislature of Alabama, Vol. I, Acts of Alabama, Regular Session 1957, pp. 245-254, and which said Act did create and estabilsh in Dallas County a Court known as the Dallas County Court.

By Messrs. Murphy and Hocklander (with notice and proof):

H. 881. To require the Director of the State Department of Public Safety to notify the Commissioner of Licenses of Mobile County upon the suspension or revocation of the permanent driver license of any resident of Mobile County.

By Mr. Jones (Covington) (with notice and proof):

H. 886. To abolish the jury board of Covington County and to create in lieu thereof a commission composed of nine members appointed by the Governor; to provide a clerk for the jury commission and to prescribe his duties and compensation; and to prescribe the functions, authority, duties, and compensation of the jury commissioners appointed hereunder.

By Mr. Jones (Covington) (with notice and proof):

H. 889. To amend Section 2 of an act approved August 31, 1953, providing a special fund for the payment of certain expenses incurred by the solicitor or judge of the Twenty-second Judicial Circuit (Act No. 460, H. 856, Acts of Alabama 1953, Vol. 1, p. 564).

By Messrs. Nichols and Camp (with notice and proof):

H. 891. To authorize any municipality in Talladega County, Alabama, and Talladega County, to make appropriations of moneys and transfers of property to or for the benefit of any public hospital corporation now or hereafter organized in Talladega County, Alabama, under Act No. 211, adopted at the 1945 Regular Session of the Legis-

lature of Alabama, Act No. 46 adopted at the 1949 Regular Session of said Legislature, or Act No. 63 adopted at the 1957 Regular Session of said Legislature; to authorize agreements between Talladega County or any municipality located in Talladega County and any such public hospital corporation located in Talladega County whereunder such corporation will agree to make available hospital space to inhabitants of such agreeing municipality or Talladega County, and whereunder such agreeing municipality or Talladega County will agree to make monthly or annual payments to such corporation; and to provide that any appropriations made hereunder and any payments provided for in any such agreements shall be deemed revenues of the public hospital corporation receiving them, within the meaning of said Act No. 211 and said Act No. 46 and any other applicable statute, and may be pledged as security for obligations of the public hospital corporation pursuant to the provisions of said statutes.

By Messrs. Hocklander and Murphy (with notice and proof):

H. 917. To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts, 1949, Page 536, entitled: "To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the county not now being served by the Mobile Public Library."

By Messrs. Murphy and Hocklander (with notice and proof):

H. 919. Directing the Secretary of State to transmit to the Commissioner of Licenses of Mobile County copies of all acts of the Alabama Legislature when printed in slip or pamphlet form, the bound volumes of such acts when printed for distribution in bound form, and the cumulative pocket supplements to the Code of Alabama (1940).

By Mr. Brewer et al (with notice and proof):

H. 923. To provide for the creation of the Tri-County Regional Planning Commission with jurisdiction in Morgan, Lawrence and Limestone Counties, to provide for its composition, organization, rules, procedure, appropriations, membership, terms of office, powers and duties, and for the adoption of a regional plan by such commission.

By Messrs. Gilchrist and Brewer:

H. 924. To provide for payment by the county of expenses incurred in the operations of the office of county superintendent of education, county commissioner of education, commissioner of public instruction, commissioner of public schools, or other like officer of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

By Mr. Ashworth (with notice and proof):

H. 937. To amend Act No. 17 adopted at the 1957 Regular Session of the Legislature of Alabama entitled "An Act relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the col-

lection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 17 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified, the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 17 and the exemptions and other provisions applicable to said excise tax shall parallel, although at the rates herein specified, the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax with respect to the sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

By Mr. Ashworth (with notice and proof):

H. 938. To alter, rearrange and extend the boundaries and corporate limits of the Town of West Blocton, Bibb County, Alabama, so as to annex certain territory to the Town.

By Mr. McCorquodale (with notice and proof):

H. 941. Relating to Clarke County; creating the office of Second Special Deputy Sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such Second Special Deputy.

By Mr. McCorquodale (with notice and proof):

H. 942. To amend Section 2 of Act No. 64, S. 11 ,approved April 13, 1955, entitled "An Act relating to Clarke County; creating the office of Special Deputy sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such Special Deputy," (Acts of the 1955 second extraordinary session, Vol. 1, Page 175.)

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 956. To extend the boundary lines of the Town of Trinity, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Messrs. Glass and Taylor (with notice and proof):

H. 965. Relating to Butler County; authorizing the governing body of the county to furnish fuel and necessary equipment for the

preparation and storing of food for prisoners held in The Butler County Jail by the Sheriff.

By Messrs. Glass and Taylor (with notice and proof):

H. 966. For the relief of The United Telephone & Telegraph Co., and to authorize and direct The Court of County Commissioners of Butler County, Alabama, to pay to the said United Telephone & Telegraph Co., the sum of Four Hundred Forty Dollars and Thirty-eight Cents ($440.38) for damages to telephone lines owned by the said United Telephone & Telegraph Co.

By Messrs. Brewer & Gilchrist:

H. 971. To prohibit the taking of fish from the public waters of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, with hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws.

By Messrs. Broadfoot and Long (Lauderdale) (with notice and proof):

H. 974. To amend Sections 1, 2, 3, 4, 7, 8, 10 and 12 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama, approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433) relative to privilege or license taxes and excise taxes in Lauderdale County and in the City of Florence, Lauderdale County.

By Mr. Phillips (with notice and proof):

H. 985. To alter, rearrange and extend the boundaries and corporate limits of the town of Butler, Choctaw County, so as to incorporate within the town certain additional territory.

By Mr. Jones (Covington) (with notice and proof):

H. 986. To provide additional compensation or salary for the Official Court Reporter of the 22nd Judicial Circuit and providing for the payment thereof.

By Mr. Perry et al (with notice and proof):

H. 946. For the relief of C. D. Chiles; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, Page 1579, Et Seq.) shall have four months from the effective date of this Act in which to take action on C. D. Chiles' pending application for extraordinary disability allowance.

By Mr. Morrow et al (with notice and proof):

H. 947. To alter, rearrange, and extend the corporate limits of the City of Birmingham, Jefferson County, so as to include within the corporate limits of said City of Birmingham certain additional territory.

By Mr. Edwards et al:

H. 999. To amend further Act No. 259, H. 530, approved June 24, 1943, an act providing for appeals to the circuit court in certain counties having a population of 400,000 or more, according to the last or any subsequent federal decennial census, from decisions of the board of equalization (General Acts, Regular Session 1943, p. 230), which is known as "The Expeditious and Economical Tax Appeals Act."

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable

report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Perry et al (with amendment):

H. 983. To amend Section 1 of Act Number 65 H. 138 approved April 5, 1956, (Acts of Alabama Special Session 1956, page 357 entitled, "To provide that the Recorder's Court of any city having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census trying any person for violation of an ordinance of such city making it unlawful to engage in or conduct a lottery, to possess lottery paraphernalia, to possess gaming paraphernalia, to engage in bookmaking, to accept bets on horse racing or other sporting events, to conduct a house of prostitution, to possess, sell, give away or display obscene pictures, prints, drawings or literature, or to molest children shall upon the conviction of such person, have the power and authority to impose a fine not exceeding three hundred dollars upon such person and to sentence him to hard labor upon the streets or public works, or in the workhouse or house of corrections of such city for not exceeding six months; to provide that this Act shall be cumulative and the power and authority hereby granted to any such Recorder's Court shall be in addition to any power and authority which such court may have under any other law either general or local.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Sessions et al:

H. 994. To establish a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief or retirement and relief system heretofore established or hereafter established under Act Number 929 of Legislature of Alabama of 1951, Approved September 12, 1951 (Acts of Alabama 1951, page 1579 et seq. as amended) and on whose account, or for whose benefit, the city by whom they are employed makes no contribution, or pays no tax, to the United States of America under the Federal Social Security Act; to provide certain disability benefits for such firemen and policemen and also certain benefits for the widows and children of any such firemen or policemen who die; to make provision for a supplemental retirement benefit for such firemen and policemen, if and when said Act No. 929 is amended as stipulated in this act; to provide that from the funds of the system established by this act certain payments shall be made to the fund of the system established by said Act No. 929, subject to said Act No. 929 being amended so as to authorize the Board of Managers of the system created by said Act Number 929 to receive said payments; to establish a Board of Managers for the pension system hereby created and to provide for the method of selection of the said board and to define the power, authority and duties of the said Board of Managers; to provide for the actuarial study, investigation and report showing the probable ability or inability of the fund hereby created to meet the benefits provided for by the system created by this Act; to provide for paying from funds of the system expenses incurred in securing any such actuarial study, investigation and report; to provide that at least sixty days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the

ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall give such opinion separately and severally with respect to each of the said benefits, and which said report or survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the fund, and if so, what change or changes he considers necessary; and to provide that the Board of Managers shall present to the members of the House of Representatives and the Senator designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama.

By Messrs. Hawkins and Edwards:

H. 995. To provide for designating the 109th Evacuation Hospital building in Jefferson County, "Fort Mortimer H. Jordan."

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar to-wit:

By Mr. Sessions et al (with notice and proof) (with amendment):

H. 989. To alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

By Mr. Sessions et al (with notice and proof) (with amendment):

H. 992. To alter and extend the boundaries of the City of Birmingham to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

By Mr. Perry et al (with amendment):

H. 996. To authorize the incorporation in any county in this state having a population of 500,000 or more, according to the last or any succeeding Federal Census, of a health care authority as a public corporation for hospital purposes, including, among others, the making of provisions for medical and hospital aid to the indigent sick of such county; to provide a method of effecting the incorporation of such authority and electing the members of its board of directors and its officers; to specify the powers of such board of directors and the powers of such authority; to provide for the payment to such authority by the county in which it is organized of all revenue received and held by such county from any tax levied by the state for the benefit of the county for health and medical care of indigent residents of the county, and to authorize such county to allocate and pay other funds to such authority; to provide for the expenditure of the funds of such authority for any of its corporate purposes; to authorize the sale and issuance of securities by such authority for any of its purposes; to authorize such authority to provide the details of such securities and the pledge of revenues of the authority and the execution of mortgages or deeds of trust as security thereof; to provide that such securities shall constitute negotiable instruments; to provide that the properties and income of such authority, the securities issued by it and the interest payable thereon, and all mortgages and other instruments executed as security therefor shall be exempt from taxation; to authorize investment of fiduciary funds in securities by such authority; to require the making of annual reports and the submission of an annual budget to the governing body of such county; to provide the time and method of dissolution of such authority; to provide that the formation and

dissolution of one or more such authorities shall not prevent the subsequent formation of another authority in the same county; and to authorize such county and any municipality therein to transfer to such authority projects and funds acquired or allocated for any of the purposes for which such authority shall have been organized.

Mr. Shelton, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lee (Barbour) and Albea:
H. 183. To amend Section 620 of Title 52, Code of Alabama (1940), which relates to American Legion scholarships, by adding certain institutions of learning to those mentioned therein.

By Mr. Oakley:
H. 563. To permit the county and city boards of education, by their rules and regulations, to provide assistance to residents of their respective districts for instruction on an elementary or secondary level not available to them in public schools within the district.

By Mr. Roberts et al:
H. 679. To require the state department of education to furnish free textbooks to pupils and teachers in classrooms or schools conducted under the supervision of the Alabama state hospitals.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Copeland and Casey (with amendment):
H. 36. Relating to frauds concerning checks, drafts, or orders for the payment of money; prohibiting the giving of worthless checks or drafts; prescribing penalties; repealing conflicting laws (Act No. 116, H. 63, approved June 20, 1951).

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Copeland and Casey:
H. 38. Relating to civil remedies and procedures; providing for actions on worthless checks, drafts, or orders for the payment of money.

By Mr. Rogers et al:
H. 66. To authorize any county board of registrars which is not furnished clerical assistance to reserve certain meeting days for the performance of such necessary clerical work as may be required of the board in connection with the discharge of its duties.

By Mr. Rogers et al:
H. 67. To amend further Section 26 of Title 17, Code of Alabama (1940), which relates to meetings of county boards of registrars.

By Mr. Copeland:
H. 395. To amend Section 5 of Title 27, Code of Alabama 1940, relating to the adoption of children; providing that a final order of

adoption made by a court of competent jurisdiction shall be incontestable for any irregularity, infirmity, or defect in the adoption proceedings after the lapse of five years from the date thereof.

By Messrs. Faulk, Steagall and Jones (Covington):
H. 445. To re-enact and amend Section 112 of Title 13, Code of Alabama 1940, relating to a division of the State into judicial circuits.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adams (Houston) (with amendment):
H. 449. Relating to the registration and transfer of securities by fiduciaries, and defining and limiting liability with respect thereto, and to make uniform the law with reference thereto, and to repeal Section 3 of Act 557, S. 174, approved July 7, 1943 (General Acts of Alabama, 1943, page 544) known as the Uniform Fiduciaries Act.

By Mr. Adams (Houston) (with amendment):
H. 450. Providing that the designation of beneficiaries of any trust set up for any group of employees shall be valid and that any trustee or other person may properly make payments to any person designated as a beneficiary of such a trust.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Adams (Houston):
H. 451. To amend Section 1 of Act No. 306, H. 253, approved July 7th, 1945 (General Acts of Alabama, 1945, page 499) entitled "An Act to relieve from the operation of any existing laws against perpetuities or suspension of the power of alienation of title to property a trust of real or personal property created by an employer as a part of the stock bonus plan, pension plan, disability or death benefit plan, or profit sharing plan for the exclusive benefit of some or all of the employer's employees" by further relieving such trusts from the operation of any existing laws against trusts for the accumulation of income, and extending the coverage of said Act, as amended, to retirement trusts created by self-employed persons.

By Mr. Ashworth:
H. 520. To amend Section 27 of Title 42, Code of Alabama (1940), which relates to compacts for out-of-state parolee supervision, to include territories of the United States and the District of Columbia within the purview thereof.

By Mr. Adams (Houston).
H. 713. To amend Section 5 of Act No. 247, S. 69, approved July 29, 1953 (Acts of Alabama, 1953, page 311) entitled "An Act relating to banks and banking; to provide for the retention and disposition of bank records, and for other purposes," by providing for the reproduction of bank records by processes in addition to the microphotographic process and by providing that such reproductions may be retained by banks in lieu of the originals thereof.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following

bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Caffey (with substitute):
S. 351. To amend Sections 3, 4, 16, and 17 and to further amend Sections 11 and 30 of Title 19 of the Code of Alabama of 1940 relating to condemnation of land for public purpose.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Sullivan et al:
H. 365. Relating to crimes and offenses: To make it a misdemeanor to obtain or attempt to obtain telephone or telegraph service by use of false, fictitious, counterfeit, revoked or nonexistent credit card, credit number or other credit device or telephone number, or credit card, credit number or credit device or telephone number of another without authority, or through any fraudulent scheme, device, means or method; to provide for punishment of such acts; to repeal all conflicting laws.

By Messrs. Dumas, Kendall and Archer:
S. 368. To confer on certain non-profit hospital corporations the power of eminent domain.

By Mr. Haltom:
S. 454. To provide for the adoption of minor children by their grandparents; supplementing Chapter 1 of Title 27, Code of Alabama 1940, as amended.

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Roberts (with amendment):
H. 476. To provide for the continuity of the Legislature of the State of Alanbama and the political subdivisions of the State of Alabama in the event of an attack by an enemy of the United States.

Mr. Gaither, Vice-Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Porter:
S. 168. To provide for the construction, maintenance and repair of streets, roads, drives, and parking areas on the campus of any state institution of higher learning.

By Messrs. Green, Roberts, Leonard, Barnett, Wyatt, Jones, Golson, Clark, Wilson, Crawford, Berryman, Porter, Cooper, Givhan, Word, Godfrey, deGraffenried:
S. 353. To provide for the construction and maintenance of all-weather surface rural mail box turnouts along the state highways; to authorize and direct the State Highway Department to undertake such

a program; to regulate the construction of such mail box turnouts and the erection and maintenance of rural mail boxes at such turnouts; to authorize the State Highway Department to adopt and promulgate rules, regulations, and specifications governing the construction and maintenance of such turnouts and the erection and maintenance of rural mail boxes; and to prescribe a penalty for the erection and maintenance of rural mail boxes in violation of the Act and the rules, regulations, and specifications of the State Highway Department relative thereto.

By Messrs. Harris and Meade:
H. 700. To provide for the designation by the state highway department of the bridge on Alabama Highway No. 35 across Little River at the DeKalb County-Cherokee County line as the "G. E. Hill Bridge."

By Mr. Harris:
H. 701. To provide for the designation by the state highway department of certain highways in DeKalb County as "Desota Parkway."

Mr. Farmer, Chairman of the Standing Committee on Public Welfare and Correctional Institutions, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (Russell) et al:
H. 228. To amend the following laws relating to the running of prison sentences in order to incorporate therein provisions authorizing certain sentences to imprisonment on two or more convictions to run concurrently and others consecutively and prescribing when such sentences begin and end: Section 32, as amended, Title 45, Code of Alabama, 1940, which relates to the serving of two or more sentences to the penitentiary; Section 83 of this same title, which relates to the serving of two or more sentences to hard labor for the county; and Section 1 of Act No. 534, S. 353, approved July 9, 1943 (Acts of Alabama 1943, page 508) as amended (now set out in Section 253 of the Pocket Supplement to the Code of Alabama, 1940), which authorizes deduction from prison sentences for good conduct in prison and prescribes the manner of computing such deductions.

By Mr. Ashworth:
H. 421. To Provide for the inspection of State Income Tax Returns by officials and duly authorized agents of the State Department of Pensions and Security for the purpose of the administration and enforcement of the state welfare laws, subject to reasonable rules and regulations prescribed by the State Commissioner of Revenue.

By Mr. Brooks:
H. 473. Providing for the utilization of convicts by the Commissioner of Corrections or the Director of the State Highway Department to work upon, clean, and restore certain cemeteries or graveyards.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Smith (Russell) and Adams (Tallapoosa):
H. 797. To revise Article 1 of Chapter 1 of Title 23 of the Code of

Alabama of 1940 as amended, in relation to Highways, Roads, Bridges and Ferrys by amending Section 23 and Section 35.

By Mr. Hanby:
H. 533. Relating to taxation: exempting the gross proceeds of sales of certain small stores or vending stands operated by blind persons from the sales tax, and prescribing penalties for violations of this Act.

By Mr. Rutledge:
S. 424. To amend Section 2, Item III G (6) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

By Mr. Brewer:
H. 96. To amend further Section 70 of Title 12, Code of Alabama (1940), which relates to the State's participation in salaries of county engineers.

By Messrs. Barnett, Farmer, Rutledge, Turner, Webb and Graham:
S. 283. To further promote the agricultural interests of the State by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the State Board of Agriculture and Industries and the Commissioner of Agriculture and Industries in relation to such markets.

By Messrs. Turner, Barnett, Rutledge, Moses, Graham, Kendall and Crawford:
S. 405. To fix the annual salary of the state superintendent of education; amending Section 41 of Title 52, Code of Alabama 1940, and superseding and repealing conflicting laws.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Rutledge, Turner and Moses (with amendment):
S. 403. To authorize the Attorney General to employ not more than two investigators and to make an appropriation therefor.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison:
S. 337. To make an additional appropriation to the State Licensing Board for General Contractors.

By Messrs. Murphy and Hocklander:
H. 78. To amend further Section 2 of Title 51, Code of Alabama (1940), which relates to exemptions from state ad valorem taxes.

By Messrs. Ashworth, Adams (Tallapoosa), Smith (Russell) and Cornett:

H. 744. Providing for the relocation of utility facilities when necessitated by Federal-aid highway system projects; providing for the payment of the costs of such relocations by the State as highway construction costs upon Federal participation and Federal funds being actually collected by the State; prescribing the authority of the State Highway Director in regard thereto; providing for the method of paying or reimbursing said utilities; and repealing all conflicting laws.

By Mr. Kendall:
S. 382. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

By Messrs. Caffey and Samford:
S. 407. To amend Section 191 of Title 13, Code of Alabama 1940, which relates to the compensation of special circuit judges.

By Messrs. Turner, Barnett, Rutledge, Moses, Graham, Kendall and Crawford:
S. 406. To fix the compensation of the commissioner of agriculture and industries; amending Section 17 of Title 2, Code of Alabama 1940, and repealing conflicting laws.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Leonard (with substitute) (without recommendation):
S. 99. To provide revenue and a source of revenue for the purpose of paying annuities and benefits to the Law Enforcement Officers of the State of Alabama, to provide for a Commission to receive and disburse such funds, to provide for a method of payment of such funds to beneficiaries thereof, and for other purposes.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Callahan (with substitute):
H. 437. To create an additional judgeship for, and a domestic relations division of, the Sixth Judicial Circuit of Alabama; defining its jurisdiction and authority; and providing that the judge of the domestic relations division of the Circuit Court shall be ex-officio judge of the Juvenile Court.

Mr. Robison, Chairman of the Standing Committe on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill, and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris et al:
H. 424. To further amend the Farm-to-Market Road Act of 1943 (Act No. 329, approved July 1, 1943) by amending Sections 1, 2 and 13 of said Act as amended by Act No. 41, approved June 1, 1945 (1945 Acts, page 47); by amending sections 3 and 7 of said Act as amended by Act No. 831, approved September 19, 1953 (1953 Acts, page 1119); and by amending Section 11 of said Act as amended by Act No. 14

approved August 11, 1950 (Fourth Special Session 1950 Acts, page 55).

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Callahan et al (with substitute):
H. 763. To make additional appropriations to The Board of Trustees of the University of Alabama, for mental health purposes, including payment of salaries of professional and related personnel in the Department of Psychiatry of the Medical College of Alabama, operation of the out-patient Mental Health Clinic of said college, payment of stipends and scholarships to trainees in the field of psychiatry, and hospitalization of medically indigent mental patients in University Hospital and Hillman Clinics.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit :

By Mr. Callhan et al:
H. 764. To make additional appropriations to the state institutions for the mentally ill and the mentally deficient for the two fiscal years ending September 30, 1960, and September 30, 1961, such appropriations to be paid from the Alabama Special Mental Health Fund.

By Mr. Callahan et al:
H. 758. To provide for the manner of payment, disposition and use of purchase money paid or payable for sale of any lands belonging to the State of Alabama for the use of the Insane of the State, situated in Mount Vernon Barracks Military Reservation, in Mobile County, Alabama.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. deGraffenried (without recommendation):
S. 416. To amend Title 41, Section 152, Code of Alabama 1940, as amended which relates to salaries of employees.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Shumate and Bevill:
H. 855. To permit any water works board organized under the provisions of Sections 394 to 402, inclusive, of Title 37 of the Code of Alabama of 1940 which has acquired or may hereafter acquire a gas plant and system pursuant ot Act No. 154 adopted at the 1947 Regular Session of the Legislature of Alabama, to issue revenue bonds for

certain water works purposes and to pledge for payment of such revenue bonds not only water revenues, but also any available gas revenues and to provide that in order so to issue revenue bonds it shall not be necessary for such water works board to combine such water and gas systems.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan (with amendment):
S. 136. For the relief of Donald M. Ward; to make an appropriation to reimburse Donald M. Ward for sums expended for medical care and treatment on account of, and to compensate for personal injuries suffered by him while acting within the line and scope of his employment with the State Highway Department.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McCorquodale et al:
H. 695. To amend further Section 465 of Title 51, Code of Alabama 1940, in relation to the privilege license tax imposed on automobile accessory dealers.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Farmer (without recommendation):
S. 451. To amend Sections 4 and 7 of Title 51, Code of Alabama 1940, which relate to applications for exemptions of factories, industries, and plants from ad valorem tax.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hawkins et al:
H. 659. To exempt from state, county and municipal taxes, licenses, fees and charges, property owned by certain non-profit membership corporations or retired public school teachers and supervisory staff personnel.

By Mr. Locke et al:
H. 786. To amend further Section 718 of Title 51, Code of Alabama 1940, in relation to liability for collection and payment of the tax on tobacco and tobacco products.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favor-

able report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Porter (with amendment):
S. 167. To amend Section 41 of Title 52, Code of Alabama (1940), by providing for the appointment, qualifications and compensation of the state superintendent of education.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Caffey:
S. 457. To provide for an additional judge of the Thirteenth Judicial Circuit of Alabama.

By Mr. Johnson (Tallapoosa) et al:
H. 627. Relating to the Fifth Judicial Circuit; Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

By Mr. deGraffenried:
S. 326. To amend Section 46 of Title 51 of the 1940 Code; and further to provide that the Tax Assessor in performing his duty in assessing real and personal property, the Board of Equalization in equalizing and fixing tax assessments, agents of the departments of revenue in performing their duties, and the Circuit Courts in the hearing on appeal tax assessment cases are authorized and directed to take into consideration testimony as to the reasonable market value of similar property, the assessed value of similar property, and the average percentage assessment of all property in the county or counties of the State, and also all elements or factors bearing on the value of such property as heretofore authorized.

By Messrs. Jones and Graham:
S. 322. To authorize and provide for the acquisition by the State of certain lands in Elmore County at or near the site of old Fort Toulouse, also known as Fort Jackson, to be thereafter deeded or leased, on certain conditions, to the Fort Toulouse Memorial Park Association, a non-profit corporation, whose purpose is to restore this old fort and the ancient Indian town of Taskigi which was located at this site; and to make an appropriation for that purpose.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Golson, Farmer, Andrews, Crawford, Graham, Barnett (with amendment):
S. 321. To provide for the control and eradication of a destructive insect pest known as the fire ant; and making annual appropriations for that purpose for the fiscal years ending September 30, 1960 and September 30, 1961.

Mr. Graham, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee,

in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn et al:

H. 377. To amend Section 181 of Title 26, Code of Alabama 1940, to provide for the exercise by the director of unemployment compensation of the powers and duties of the director of industrial relations, in so far as they pertain to unemployment compensation, during the interim in which there is no duly appointed and qualified director of industrial relations.

By Mr. Goodwyn et al:

H. 378. To amend Section 207, Title 26, Code of Alabama 1940, as last amended, the same pertaining to weekly unemployment benefit amounts for unemployment.

By Mr. Goodwyn et al:

H. 379. To amend Section 209, Title 26, Code of Alabama 1940, as last amended, to provide for determining the maximum duration of unemployment compensation benefits in accordance with fluctuating economic conditions by adding twenty-five per cent (25%) or fifty per cent (50%) to the maximum duration for an individual who exhausts all benefits to which he was otherwise entitled under this chapter during a period in which more than 5.%, or more than 8.%, respectively, of the workers covered by this chapter are unemployed and claiming benefits.

By Mr. Goodwyn et al:

H. 380. To amend Section 289 of Title 26, Code of Alabama 1940, as last amended, the same relating to limitations on compensation under the Workmen's Compensation Law.

By Mr. Goodwyn et al:

H. 381. To amend Section 8 of Title 26, Code of Alabama 1940, as last amended, the same relating to the Board of Appeals for the Alabama Department of Industrial Relations.

By Mr. Goodwyn et al:

H. 382. To amend Sections 344, 347, 349, 353, 354, 357, 362, 363, 365, 366, and 367, of Title 26, Code of Alabama, 1940, as last amended; and to repeal Section 364, of Title 26, Code of Alabama 1940.

By Mr. Goodwyn et al:

H. 383. To amend Section 251 of Title 26, Code of Alabama 1940, as amended, the same relating to penalties for violations of the Unemployment Compensation Law.

By Mr. Goodwyn et al:

H. 384. To amend Sections 202 and 204, Title 26, Code Alabama 1940, as last amended, the same pertaining, respectively, to contributions by employees, and experience rating and contributions by employers.

MOTION TO RECESS LOST

At 1: 25 P.M., Mr. Kendall moved that the Senate take a recess until 3:50 P.M., which motion was lost.

Yeas 11; Nays 16.

Yeas:

Messrs.:	Graham	Leonard	Shelton	
Crawford	Green	Porter	Turner	
Farmer	Hines	Rutledge	Wilson	
				—11

Nays:

Messrs.:	deGraffenried	Godfrey	Moses	
Archer	Dumas	Haltom	Robison	
Berryman	Eddins	Jones	Samford	
Caffey	Gaither	Kendall	Wyatt	
Cooper				—16

BILLS ON THIRD READING RESUMED

The Bill:

S. 428. To alter, rearrange and describe the boundary lines and corporate limits of the city of Alexander City, Tallapoosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Robison	
Andrews	deGraffenried	Green	Samford	
Archer	Eddins	Haltom	Turner	
Barnett	Gaither	Jones	Webb	
Berryman	Givhan	Leonard	Wilson	
Caffey	Golson	Porter	Wyatt	
Cooper				—24

Nays: —0

FURTHER CONSIDERATION OF S. B. 316

The Senate proceeded to further consideration of the Bill, S. B. 316. The question was on the substitute offered by Mr. Andrews for the Bill, and pending Committee substitute.

MOTION TO ADJOURN LOST

At 2:12 P.M., Mr. Gaither moved that the Senate adjourn until Wednesday, November 4, 1959, at 12:01 P.M.

Mr. Cooper made a substitute motion that the Senate adjourn until Wednesday, November 4, 1959, at 10 o'clock A.M., which motion was lost.

Yeas 3; Nays 27.

Yeas: Messrs. Moses, Rutledge and Turner —3

Nays:

Messrs.:	Barnett	Caffey	Crawford
Archer	Berryman	Cooper	deGraffenried

Dumas	Godfrey	Hines	Roberts
Eddins	Golson	Jones	Robison
Farmer	Graham	Kendall	Samford
Gaither	Green	Leonard	Shelton
Givhan	Haltom	Porter	Wyatt

—27

The question recurred on the motion of Mr. Gaither that the Senate adjourn until Wednesday, November 4, 1959, at 12:01 P.M., which motion was lost.

Yeas 14; Nays 7.

Yeas:

Messrs.:	Givhan	Porter	Turner
Barnett	Golson	Roberts	Wilson
Eddins	Leonard	Rutledge	Wyatt
Gaither	Moses	Shelton	

—14

Nays:

Messrs.:	Crawford	Graham	Jones
Archer	deGraffenried	Green	Kendall
Berryman	Dumas	Haltom	Robison
Caffey	Farmer	Hines	Samford
Cooper	Godfrey		

17

BILLS ON THIRD READING RESUMED

The Bill:

S. 425. To alter or rearrange the boundary lines of the city of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison
Andrews	Farmer	Hines	Samford
Barnett	Givhan	Jones	Turner
Caffey	Godfrey	Leonard	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Roberts	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

S. 440. To provide for the establishment and operation of a public clinic in the municipality of Uniontown, Perry County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Hines	Samford
Archer	Givhan	Kendall	Turner
Berryman	Godfrey	Moses	Webb
Caffey	Graham	Porter	Wilson
Crawford	Green	Roberts	Wyatt
Dumas			

—24

Nays: —0

The Bill:

S. 441. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Samford
Andrews	Farmer	Kendall	Shelton
Archer	Gaither	Leonard	Turner
Barnett	Godfrey	Porter	Webb
Berryman	Golson	Robison	Wilson
Caffey	Haltom	Rutledge	Wyatt
Crawford			

—24

Nays: —0

The Bill:

S. 429. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Eddins	Jones	Rutledge
Archer	Gaither	Kendall	Shelton
Caffey	Givhan	Leonard	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Roberts	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

S. 434. To require the tax collector of Mobile County to charge and collect the same fees, and to deduct from taxes collected by him

the same commissions that are prescribed by the general law as compensation for tax assessors and tax collectors and to pay all such fees and commissions into the county treasury of Mobile County; and to repeal Act No. 241, H. 401 and Act No. 242, H. 473 of 1935 (Local Acts of Alabama of 1935, pages 139 and 141, respectively) and Section 1 of Act No. 191, H. 634 of 1955 (Acts of Alabama of 1955, page 476).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts
Andrews	Eddins	Haltom	Samford
Archer	Farmer	Jones	Shelton
Barnett	Givhan	Kendall	Webb
Caffey	Godfrey	Leonard	Wilson
Cooper	Graham	Porter	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 838. To amend Section 2 of an act approved June 3, 1953, establishing a board of revenue for Hale County (Act No. 61, H. 209, Acts of Alabama 1953, Vol. I, p. 89) so as to provide for the election of members of the board of revenue by districts.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison
Archer	Eddins	Haltom	Rutledge
Barnett	Gaither	Jones	Samford
Caffey	Givhan	Leonard	Turner
Cooper	Godfrey	Porter	Wilson
Crawford	Golson	Roberts	Wyatt
deGraffenried			—24

Nays: —0

The Bill:

H. 693. To amend further Section 5 of Act No. 222, H. 317, approved February 27, 1879 (Acts of Alabama, 1878, p. 248), entitled "An Act To establish a board of revenue for Autauga county, and to define the powers and duties of said board of revenue," by providing further for the compensation of the chairman and members of the board of revenue.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Archer	Caffey	Crawford
Andrews	Barnett	Cooper	deGraffenried

Dumas	Jones	Roberts	Shelton	
Eddins	Kendall	Robison	Webb	
Farmer	Leonard	Rutledge	Wilson	
Godfrey	Moses	Samford	Wyatt	
Graham				—24

Nays: —0

The Bill:

H. 605. Relating to Macon County; regulating further the practice of cosmetology in Macon County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Hines	Rutledge	
Barnett	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Webb	
Caffey	Godfrey	Moses	Wilson	
Cooper	Golson	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

S. 439. To further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures and facilities for use by or in the Office of Circuit Judge, Circuit Solicitor or in the Court room of each county in said Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge	
Archer	Farmer	Jones	Samford	
Berryman	Givhan	Kendall	Shelton	
Caffey	Golson	Moses	Webb	
Cooper	Graham	Porter	Wilson	
Crawford	Haltom	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 72. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO H. B. 72

In Section 3, line 6, strike therefrom the word "jury" and insert in lieu thereof the word "juror."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Eddins	Haltom	Rutledge	
Archer	Farmer	Hines	Samford	
Barnett	Givhan	Kendall	Webb	
Caffey	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Eddins	Haltom	Rutledge	
Archer	Farmer	Hines	Samford	
Barnett	Givhan	Kendall	Webb	
Caffey	Godfrey	Moses	Wilson	
Cooper	Graham	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 73. Relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO H. B. 73

Amend H. B. 73 as follows:

In Section 2, line 12, strike the words "until two jurors remain" and substitute therefor the following words: "until twelve jurors remain".

In Section 4 line 9, strike the words "Twenty-four jurors" and substitute therefor "thirty jurors".

In Section 8, line 7, insert a comma following the word "defendant".

In Section 10 (b), line 3, insert the word "for" between the words "order" and the word "an".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge	
Andrews	Farmer	Jones	Samford	
Barnett	Givhan	Leonard	Turner	
Caffey	Godfrey	Moses	Webb	
Cooper	Golson	Roberts	Wilson	
Crawford	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge	
Andrews	Farmer	Jones	Samford	
Barnett	Givhan	Leonard	Turner	
Caffey	Godfrey	Moses	Webb	
Cooper	Golson	Roberts	Wilson	
Crawford	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

RESOLUTION

Mr. Dumas offered the following Senate Joint Resolution, to-wit:

S. J. R. 38. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members are deeply indebted to Hon. Tom Johnson, of Tallapoosa, and his genial brother, Harold, for the princely entertainment provided at their farm in Tallapoosa County on Wednesday, October 28. We extend our cordial thanks to these friendly and hospitable gentlemen, and express our great pleasure for a delightful diversion and recreation.

And on motion of Mr. Dumas, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION TO RECESS LOST

At 4:16 P.M., Mr. Roberts moved that the Senate take a Recess until 4:31 P.M., which motion was lost.

Yeas 14; Nays 15.

Yeas:

Messrs.:	Givhan	Moses	Turner	
Barnett	Golson	Roberts	Webb	
Eddins	Kendall	Rutledge	Wyatt	
Gaither	Leonard	Shelton		—14

Nays:

Messrs.:	Cooper	Farmer	Hines	
Archer	Crawford	Godfrey	Jones	
Berryman	deGraffenried	Graham	Robison	
Caffey	Dumas	Haltom	Samford	
				—15

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cates:

H. 1079. To establish a Law and Equity Court for Shelby County, Alabama; to define its jurisdiction and powers; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide a Court Reporter for said Court, whenever needed, and to fix and prescribe his duties and compensation; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Shelby County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the County Court of Shelby County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the Act appearing herein will be introduced in the Legislature of Alabama at the present session.

A BILL
TO BE ENTITLED
AN ACT

To establish a Law and Equity Court for Shelby County, Alabama: to define its jurisdiction and powers; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide a Court Reporter for said Court, whenever needed and to fix and prescribe his duties and compensation; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Shelby County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the County Court of Shelby County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That there is hereby established in and for Shelby County, Alabama, an Inferior Court of Law, both civil and criminal, and of Equity, which shall be called Shelby County Law and Equity Court, and which shall be a court of record, and which shall have and exercise concurrent jurisdiction now conferred, or which may hereafter be conferred, upon the several Circuit Courts of the State, provided that the said Shelby County Law and Equity Court shall not have jurisdiction to try a person charged with felonies and provided further that said court's civil jurisdiction on the law side of said court shall not exceed the sum of $1,000.00, exclusive of the interest and cost, except, however, it is provided that in any civil action filed on the law side where a cross-action, counter-claim, set-off, or plea in recoupment is filed, claiming in excess of $1,000.00, the court shall have jurisdiction of said action and shall proceed with it to a conclusion; and said court shall have concurrent jurisdiction with Justices of the Peace of Shelby County in all civil matters; and shall have exclusive original jurisdiction in all misdemeanors committed in Shelby County, except misdemeanors returned by the grand jury to the Circuit Court, and it shall have preliminary jurisdiction of all felonies, and of bastardy, unlawful detainer, and other criminal or quasi-criminal proceedings cognizable before Justice of Peace Courts; and shall also have and exercise such further jurisdiction, authority, functions and powers as are hereinafter conferred upon it by this Act.

Section 2. That the Governor of the State of Alabama shall designate and appoint the Judge of said Court immediately after the effective date of this act and said appointee shall hold office until the second Tuesday after the first Monday in January 1961 and until his successor shall be elected and qualified. A Judge of said Court shall be elected by the qualified electors of Shelby County, Alabama, at the general election to be held in 1960 and each six years thereafter, and the term of the judge of said Court shall commence on the second Tuesday after the first Monday in January following his election, and shall continue for a period of six years and until his successor shall be elected and qualified. The judge of said Court, before entering upon the duties of said office, shall take the oath required by law to be taken by judges of the Circuit Courts of Alabama. The said judge shall be a qualified elector of Shelby County, Alabama, shall be learned in the law, and shall have been a member of the Shelby County Bar for not less than two years next preceding his appointment or election and shall be a member of the Ala. Bar in good standing, and shall be not less than twenty-five years of age. The said judge shall devote his entire time to the duties of his office, and shall be barred from practice of law during his term of office. Said judge may be removed from office in the manner and for the causes now provided by law for the removal of Circuit Judges.

Section 3. Vacancies in the office of the judge of said court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution and law of this State.

Section 4. That the clerk of the Circuit Court of Shelby County, Alabama, shall be ef-officio clerk of the Shelby County Law and Equity Court of Shelby County, Alabama and shall have the same powers and discharge the same duties as clerk of the Circuit Courts, and shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees, commissions and emoluments as are now, or as may hereafter be, allowed to Circuit Clerks of Alabama except as hereinafter provided and the same shall be collected as such fees and commissions are collected in the Circuit Courts; except that in civil matters where suit is brought for $100.00 or less only the fees and commissions allowed by law to Justices of the Peace

shall be collected; and said clerk shall exercise the same powers and perform the same duties as are exercised and performed in the Circuit Court. That the Register of the Circuit Court shall be ex-officio Register of the Shelby County Law and Equity Court and shall have the powers and discharge the duties which shall devolve upon the Register of the Shelby County Law and Equity Court and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now, or as may hereafter be, allowed to the Register of Circuit Courts in Equity and the same shall be collected as such fees are collected in Circuit Courts.

Section 5. That the Judge of said Court shall receive a salary of not less than $6,000.00 per annum nor more than $7,200.00 per annum, to be fixed from time to time by the Shelby County Board of Revenue and Control, payable in twelve equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 6. That the Deputy Solicitor of Shelby County, Alabama, shall be the Solicitor of said Court and in addition to duties now imposed upon said solicitor, he shall be required to attend said court and therein prosecute all cases of a criminal or quasi-criminal nature wherein the State is a party to the case; and for such services he shall receive a salary of not less than $3,600.00 per annum nor more than $4,800.00 per annum, to be fixed from time to time by the Shelby County Board of Revenue and Control, which shall be in lieu of the amount now fixed by law for his salary as Deputy Solicitor, and is to be paid in twelve equal monthly installments out of the County Treasury at the end of each month, his signed receipt being required.

Section 7. That the said Shelby County Law and Equity Court shall be held at the court house of Shelby County, Alabama, and that said court shall be open at all times for the trial of cases and transactions of business. In case of sickness or disqualification of the judge of said court, the law applicable to the appointment and service of special judges in the Circuit Court shall apply, and the special judge appointed shall receive for his services the same pay that special Circuit Judges receive for their services and the same to be paid out of the General Funds of Shelby County, Alabama on the certificate of the Clerk or the Register making the appointment. The Judge of said Court shall be subject to the same penalties for failure to attend upon the Court as are Circuit Judges of this State. The Judge of said Court shall keep an office in the court house of Shelby County, Alabama, or at such other suitable place as may be provided by the Board of Revenue and Control of Shelby County, and it shall be the duty of the Board of Revenue and Control of Shelby County to provide such office and supply the same with all furnishings, fixtures, stationery, telephone and other supplies necessary to enable the judge of said court to efficiently conduct the affairs of his office. The said judge shall receive an additional sum of $600.00 per annum for a secretary payable in twelve equal monthly installments out of the county treasury at the end of each month, his signed receipt being required.

Section 8. The Judge of said Court shall have the right and power to determine and fix the time of holding the sessions of said Court for the trial of all cases, as he may deem expedient; provided, however, a session of said Court for the trial of criminal and civil cases shall be held at least once in each calendar month.

Section 9. Any party feeling aggrieved from the judgment of said Court rendered in any civil cause, may appeal from said judgement to the Circuit Court of Shelby County, Alabama, by giving security for the costs, the same to be approved by the Clerk or Judge of said Shelby County Law and Equity Court of Shelby County, Alabama, or if the party desiring to appeal, wishes to supersede the judgment of said court, then he may give security for cost, and a supersedeas bond in double the amount of judgment, to be approved by the judge or clerk of said court. All appeals from judgments in civil causes in said court shall be taken to the Circuit Court within thirty days after the rendition of the judgment, and all appeals taken from said court shall be tried de novo in the Circuit Court in any case appealed from said court to the Circuit Court. The appellant, within ten days, after the perfection of his appeal and the appellee, within ten days after notice of appeal is served on him, may have the issues of fact tried by a jury in the Circuit Court by filing with the Clerk of the Circuit Court a written demand for a trial of said cause by a jury.

Section 10. In all criminal cases of conviction in said Shelby County Law and Equity Court of Shelby County, Alabama the defendant shall have the right of appeal to the Circuit Court of Shelby County, on entering into bond, with sufficient surety, to appear at the term of the Court to which the appeal is taken, and from term to term until discharged; the bond to be in such penalty as the Judge of the said Shelby County Law and Equity Court of Shelby County, Alabama may prescribe, and to be approved by the Judge or Clerk of said Court. If the defendant does not make the bond required he shall remain in custody and said defendant may, within ten days after taking said appeal, demand in said Circuit Court a trial by jury; otherwise, said case shall be tried by the Court without a jury.

Section 11. That the Supreme Court and Court of Appeals of this state shall have appellate and supervisory jurisdiction over said court and the judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit Courts of the State, and the judge thereof, and appeals may be taken from the order and judgments of said court while sitting as a Court of Equity to the Supreme Court and Court of Appeals in the same manner, and within the same time, as appeals are now taken from the orders and judgments of the Circuit Courts of the State, (except as herein provided for appeals to the Circuit Court). The same rules, regulations and laws, applicable to appeals from the Circuit Court in Equity to the Supreme Court or Court of Appeals shall govern appeals in all Equity cases from the Shelby County Law and Equity Court of Shelby County to the Supreme Court or Court of Appeals, unless otherwise provided in this Act.

Section 12. That there shall not be any jury trials in the Shelby County Law and Equity Court of Shelby County in the trial of civil and criminal cases but the Judge of said Court shall have the authority and power in all equity cases to draw and empanel petit juries for the trial of the issues of fact of all equity cases in which the parties are entitled by law to a trial by jury, as provided by Title 7, Section 322, 1940 Code of Alabama. In the trial of any such equity case by a jury, Sections 323, 324, 325 and 326, Title 7, 1940 Code of Alabama, shall govern the Court in the trial, summoning and paying of the jurors.

Section 13. All cases in equity, now or hereafter pending in the Circuit Court of Shelby County, Alabama, may be, by agreement

of the parties thereto, transferred from the said Circuit Court to Shelby County Law and Equity Court of Shelby County.

Section 14: That the procedure, practice and rules governing the Circuit Courts of Alabama now, or which hereafter may be adopted, shall in all things apply to and govern the procedure and practice of the Shelby County Law and Equity Court as otherwise provided herein.

Section 15: The Sheriff of Shelby County shall, in person or by a deputy, appointed by him, said appointment to be approved by the judge of said court, be required to attend upon said court in preserving order, and execute all writs of process and perform such other duties, in all respects as in the Circuit Court of this State, and such deputy required for attendance upon said session of said court, shall receive the sum of $5.00 per day, payable out of the county treasury upon the warrant of the judge of said court, provided that such deputy shall not receive pay except for the time that the Court is actually in session and none of such compensation to the deputy shall be shared in by the sheriff, and for the service by the sheriff of the process of said court, he shall receive such compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the sheriff for similar services in the Circuit Court, except as herein otherwise provided.

Section 16: That if, for any reason, forfeiture bt taken on any bond on the criminal side of said Court, the court may order the alias capias returnable instanter or within ten days, and unless the party or parties against whom the forfeiture is taken shall appear and show cause, when the forfeiture is returnable, why the forfeiture should be set aside, then the court is hereby authorized and empowered to make the judgment final.

Section 17: That the judge of the Shelby County Law and Equity Court of Shelby County shall adopt a seal for the law side of the docket of the Shelby County Law and Equity Court which shall be kept in the custody and control of the clerk of the court.

Section 18: That the judge of the Shelby County Law and Equity Court of Shelby County shall adopt a seal for the equity side of the docket of the Shelby County Law and Equity Court which shall be kept in the custody and control of the register of the court.

Section 19. When the summons, writ of attachment, summons and complaint in attachment, or other process either in law or in equity has been executed on the defendant or service perfected on him, as required by law, the defendant shall appear and plead, answer, or demur thereto within the time now, or which hereafter may be, provided by law, in the Circuit Court.

Section 20: That said Shelby Couny Law and Equity Court shall have exclusive jurisdiction over children and the judge of said Shelby County Law and Equity Court shall be the Judge of the Juvenile Court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Shelby County Law and Equity Court of all juvenile matters and juvenile jurisdiction in Shelby County, Alabama, as now provided under Title 13, Chapter 7, Section 350 to 383, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, and appeals in such cases shall be provided by law. The Clerk of the Shelby County Law and Equity Court is hereby made the Clerk of such court exercising such jurisdiction over juvenile matters.

Section 21: That this Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Sections 89 to 104, both inclusive, of the Code of Alabama of 1940, or as hereafter amended, which Article 3 is entitled Desertion and Non-Support. That the trial of such cases shall be by the Court without a jury and appeals in such cases shall be as provided by law. That the Judge of said Shelby County Law and Equity Court shall be the Judge of the Domestic Relations Court, it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Shelby County Law and Equity Court of all domestic relations matters arising under Title 34, Article 3, Section 89 to 104, both inclusive, of the Code of Alabama of 1940, as amended or as hereafter may be amended.

Section 22: Prosecutions for misdemeanors committed in Shelby County may be instituted in the said court by making an affidavit before the judge, clerk, or the solicitor of said Court, the writ on said affidavit to be issued by the judge, clerk or the solicitor of said court, and when the defendant is arrested on said affidavit and warrant, the case shall go on the docket for trial, and be tried as though the defendant has been indicted by a grand jury, provided, however, that the affidavit or complaint may be amended, as now provided for amendment of such papers by Section 347, Title 13, of the Code of Alabama of 1940. All affidavits or warrants for criminal or quasi criminal acts, of whatever kind issued by the Justices of Peace of Shelby County shall be returnable to this Court.

Section 23: The Judge or Solicitor of said Court shall have power to issue search warrants. The Judge of said court shall have power to issue writs of habeas corpus, prohibition, certiorari, quo warranto, injunctions and all other special and extraordinary writs, and the procedure, practice and rules of the Circuit Courts of Alabama relating to such writs as are now, or which hereafter may be provided by law, except as otherwise provided in this Act, shall prevail in the Shelby County Law and Equity Court, and the Judge thereof shall have the same powers and authority, including punishment for contempt as is or hereafter may be conferred upon the judges of the Circuit Courts of Alabama, unless otherwise provided in this Act.

Section 24: The Judge of The Shelby County Law and Equity Court shall have the power and the authority to secure the services of a competent Court Reporter to attend the sessions of the Court and report all cases tried when request therefore is made by any party to the suit. The reporter shall serve at the will and pleasure of the Judge of said Court. The Reporter shall receive a minimum of $10.00 and a maximum of $25.00 for each day, or fraction thereof, that he or she is called upon to serve, to be paid out of the County Treasury of the County on a warrant drawn thereon by the Judge of said Court and in addition he or she shall receive for his or her own use from the parties interested, at their request, fifteen cents (15c) per hundred words for making a transcript of evidence taken by such reporter and appending thereto his or her certificate to the correctness of the same; and five cents (5c) per hundred words for each copy thereof, to be paid to said Reporter in advance, upon ordering such transcript or copy thereof. The Reporter shall be required to keep his or her notes for public use and inspection.

Section 25: That from and after the passage of this Act all fines and forfeitures assessed and collected in said court shall be deposited in the General Fund of Shelby County, Alabama, except as otherwise provided by law.

Section 26: That claims accruing in the Shelby County Law and Equity Court will be claims against said fund, and such claims must be paid in the order in which they are registered, as provided by law.

Section 27: It shall be the duty of the clerk of said Court to keep a record upon which shall be recorded all affidavits made before the judge, clerk or solicitor of said court, or returnable by a justice of the peace, to said court, and if any of said affidavits should be lost or destroyed, a certified copy of the said record shall be used the same as the original affidavit and for recording each of said affidavits, the clerk shall receive a fee of seventy-five cents to be taxed as costs in case of the defendant's conviction.

Section 28: Judgments or decrees rendered by the Shelby County Law and Equity Court shall be a lien on the property of the judgment debtor which is subject to levy and sale under execution in the same manner and for the same period of time as is now, or as hereafter may be, provided by law for courts of record of this state upon the filing in the office of a Judge of Probate of a certificate of the said judgment or decree issued by the Clerk or Register of the said court as it now, or as hereafter may be, provided by law; and the said judgment or decree may be revived in the manner now, or as hereafter may be, provided by law.

Section 29: The venue of any case in the said Shelby County Law and Equity Court may be changed to other counties as it is now, or as it hereafter may be, provided by law for the several Circuit Courts of like jurisdiction.

Section 30: That final judgments rendered in said court shall, after the expiration of thirty days from their rendition, be taken and deemed to have passed beyond the control of said court, as if the term of court at which judgments were rendered had ended, provided, however, that nothing herein contained shall prevent the parties applying for a new trial or rehearing within thirty days, or change or destroy the office of motion for new trials or rehearings, when so made, or shall prevent parties from applying to the court for rehearing under statutes authorizing applications for rehearing in the Circuit Court.

Section 31: That there shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collecting solicitor's fees in the Circuit Court, and when collected shall be paid into the treasury of Shelby County, Alabama.

Section 32: That the County Court and the Juvenile Court of Shelby County are hereby abolished, and from the passage and approval of this Act shall no longer exist, and no officer of this State shall collect any fees or salaries because of said Courts, or for service rendered in said courts, and all cases pending in said County Court and Juvenile Court, when this Act becomes law, shall immediately become pending upon the docket of the Shelby County Law and Equity Court, as though originally brought in said Court, and shall be called for trial on the first Monday in the month, following the effective date of this act.

Section 33: That a trial tax of three dollars ($3.00) shall be imposed in each case, civil, criminal and equity, which is docketed in said Shelby County Law and Equity Court, to be taxed and collected as other costs, and when collected, to be paid by the Clerk or Register

of said Shelby County Law and Equity Court into the general funds of the county as other costs, provided, however, that in civil cases at law where the amount involved is Fifty Dollars or less, a trial tax of only $1.00 shall be imposed and collected, provided further that in all criminal cases where the defendant is charged with violating any of the provisions of Title 36 of the 1940 Code of Alabama and pleads guilty, no trial tax shall be imposed or collected.

Section 34: There shall also be taxed as costs the sum of One Dollar ($1.00) in each case, civil, criminal and equity, which is docketed in said Shelby County Law and Equity Court, which costs shall be collected as other costs in such cases are collected, and when collected by the Clerk of said Court, shall be paid by him to the Treasurer of Shelby County, Alabama, as hereinafter provided. The Treasurer of said County shall keep said sums in a separate fund designated as the "Shelby County Law Library Fund", and shall be expended by the Judge of Shelby County Law and Equity Court, for establishing and maintaining a Public Law Library.

Said Judge shall draw warrants on the Treasurer for expenditures by him indicating on the warrants the fund against which the warrants are drawn. Said fund shall be used primarily to lease or purchase, from time to time, under conditional sales contracts in anticipation of future revenue under this Act, or otherwise, as the said Judge may deem expedient, such books and periodicals, and to pay the salaries of such personnel, as may in the opinion of the said Judge be advisable, but to the extent not so used such funds may be otherwise expended for the maintenance of said Library. The management of the said Law Library is vested in said Judge and all books or other property purchased with the funds produced by this Act shall be the property of Shelby County, Alabama; provided, however, that the said Judge may from time to time, sell at public or private sale or exchange any such books, reports, periodicals, and personal property, and apply the proceeds from the sale thereof, or the value thereof, upon the purchase of other books, reports, periodicals and personal property for use in said Library, and said Judge may accept any gift or loan of an books, reports, periodicals and property for public use in said Library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said Judge. Said Judge may appoint such personnel as may in his opinion be necessary or proper to operate said Library, and, to the extent that in the opinion of said Judge the circumstances permit, may require the Clerk and/or the Register and/or the official Court Reporter to operate the same or to assist therein, either with or without additional compensation therefor from said fund as the said Judge shall direct.

The said items of the cost above referred to shall be designated in said Court as "Law Library Fee", and when any part of the costs in such a case or proceeding shall have been paid, the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount paid as costs to any other item of cost. On or before the 10th day of each month, the Clerk of the Court (including the Register of said court) shall pay to the said County Treasurer the amounts collected for said Law Library fees previous to the first day of the month.

Section 35: Witnesses summoned and attending the Shelby County Law and Equity Court shall be entitled to the same per diem and mileage as are paid witnesses in the Circuit Court of Shelby County, Alabama.

Section 36: That the Ex-Officio Clerk of the Shelby County Law and Equity Court shall receive as ex-officio fees for ex-officio duties performed as Clerk of the Shelby County Law and Equity Court the same amount which he is paid by the Circuit Court as provided by Title 11, Section 4, 1940 Code of Alabama, as amended. Such sum to be paid in twelve monthly installments out of the General Fund of Shelby County, Ala.

Section 37: That the Clerk and Register, with the approval of the Judge of said Court, are hereby authorized and required to purchase all necessary furnishings, records, stationery and supplies for the equipment and maintenance of said court, and the same shall be paid out of the county treasury upon warrants drawn by the Judge and signed by the clerk.

Section 38: That if, for any reason, any section, provision or clause of this Act shall be held to be unconstitutional or invalid, that fact shall not destroy the constitutionality of this Act except as to that clause or section.

Section 39: That all laws in conflict with this Act are hereby repealed.

Section 40: That this Act upon its passage and approval by the Governor or its otherwise becoming law, shall become effective on January 1, 1960.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Luther Fowler, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 1, October 8, October 15 and October 22, all in the year 1959.

LUTHER FOWLER

Sworn to and subscribed before me October 23, 1959.

CONRAD M. FOWLER
Judge of Probate

Also:

By Mr. Adams (Houston):
H. 839. To amend Sections 4 and 7 of Title 51, Code of Alabama 1940, which relate to applications for exemptions of factories, industries, and plants from ad valorem tax.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1079 — to the Committee on Local Legislation

H. B. 839 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwist to the Senate without engrossment:

By Mr. Meade:

H. 939. Relating to and providing for the reidentification of voters in Cherokee County; directing the board of registrars to purge the lists of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to and providing for the reidentification of voters in Cherokee County; directing the board of registrars to purge the list of registered voters; and providing a penalty for anyone willfully making a false statement in connection with such reidentification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Cherokee County is hereby directed to purge all lists of the registered electors of Cherokee County to the end that the names of all who are deceased or non-residents of the county, or who have otherwise become disqualified from voting therein, shall be removed from such lists and to the end that the name of each qualified elector shall appear only on the list of qualified electors for the district and precinct in which he resides.

Section 2. The board of registrars of Cherokee County shall omit and remove from the lists of qualified electors of the county the name of every person who fails to reidentify himself in one of the ways hereinafter provided before the first day of October, 1962; provided, however, that no one who has registered as a qualified elector of the county since January 1, 1959, shall be required to reidentify himself. No person removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector, nor be subject to re-registration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote at elections held in the county after the first day of October, 1962.

Section 3. A qualified elector may reidentify himself in any one of the following ways:

(a) He may reidentify himself by appearing in person at the office of the board of registrars or the judge of probate of Cherokee County, or before one of the duly authorized employees of the judge of probate, and answering such questions and submitting such proof as may be set forth hereinafter to establish the voter's identity and place of legal residence and that the voter has not become disqualified from voting in the county.

(b) He may also reidentify himself at any election at which the voter votes prior to October 1, 1962, by answering and signing the questionnaire hereinafter provided for, in the presence of a clerk, manager, inspector, or returning officer at such election, who also shall sign the questionnaire as an attesting witness. The returning officer shall transmit each signed questionnaire to the judge of probate for transmittal to the board of registrars.

(c) A qualified elector who is on active duty in the Armed Forces of the United States, or the husband or wife of a member of the Armed Forces on Active duty, may also reidentify himself or herself by filling in and mailing to the office of the judge of probate the completed answers to such questions as are set forth in the questionnaire hereinafter detailed, and the elector's signature to such questionnaire must be witnessed by a commissioned officer of the Armed Forces.

(d) The board of registrars shall furnish a sufficient number of blank questionnaires to the judge of probate, and also to the sheriff, party executive committee, or other officer, agency, or committee charged with the duty of sending out election supplies, who shall cause a sufficient number thereof to be sent to each voting place at each election to be held prior to October 1, 1962.

(e) The questionnaire shall be in substantially the folloging form:

Voters Reidentification questionnaire
Cherokee County, Alabama

Date: _____, 19____

Name: _____
(First) (Middle) (Last)

Legal Residence Address: _____
(Street or Route)

City or Town: _____

State: _____

Date of Birth: _____

Sex _____ Color _____

I now vote and I am a qualified elector in Precinct or Beat No. _____, and I have not been disqualified from voting in the county.

I have resided in Precinct or Beat No. _____ for the past three months.

Signed: _____
(Signature of voter)

Witnessed before me this the_____ day of_____,

19_____.

Registrar — Judge of Probate — Election Official — Commissioned Officer U. S. Armed Forces.

Section 4. Any qualified elector of Cherokee County who shall have his or her name omitted or removed from the lists of qualified electors in the county by reason of his or her failure to reidentify himself or herself as hereinabove provided or whose name is otherwise purged therefrom, shall be entitled to have his or her name restored to the list of qualified electors by appearing in person and reidentifying himself or herself in person at the office of the board of registrars or judge of probate in the manner hereinabove provided. However, after September 1, 1962, every qualified elector must have reidentified himself or herself at least thirty days prior to voting.

Section 5. Whoever knowingly makes a false statement in answer to the reidentification questionnaire to the board of registrars or the judge of Probate or the duly authorized employees of the judge of Probate or to the clerk, manager, inspector or returning officer or to the commissioned officer of the United States Armed Forces, is guilty of perjury, and upon conviction shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

Section 6. The court of county commissioners, board of revenue, or like governing body of Cherokee County, is hereby authorized and directed to furnish the board of registrars and the judge of probate the supplies, equipment, printed forms, stationery, stamps, clerical help and advertisements necessary for the reidentification of voters as herein provided.

Section 7. The board of registrars shall meet as often as necessary and on such dates as the board may by order fix for the purpose of purging the list of qualified electors of the county. The board may meet any number of days not exceeding thirty days per annum, in excess of the maximum now provided by law for the purpose of purging such list, and shall be entitled to the same per diem allowances for meeting on such dates, in excess of the maximum as now provided by law.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the time herein mentioned he was Publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on 6-17-59, 6-24-59, 7-1-59, and 7-8-59, all in the year 1959.

JOE SHAW, JR.

Sworn to and subscribed before me 10-6-59.

FAYRENE D. CHAMBLESS,
Notary Public.

Also:

By Messrs. Gilchrist and Brewer:
H. 850. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the next special or regular session of the Legislature of Alabama for the enactment of local law substantially as follows.

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the boundary lines of the City of Decatur, in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

TRACT 1.

Beginning at the point where the present City Limit line intersects the North right of way line of Alabama Highway 24; thence in a Westerly and Southwesterly direction along the North right of way line of said Highway to the point where said right of way line intersects the West boundary of the E½ of the NE¼ of Section 22, Township 5 South, Range 5 West; thence North along said boundary and the West boundary of the E½ of the SE¼, Section 15, Township 5 South, Range 5 West, to the point of intersection thereof with the South line of the right of way of the Southern Railway Company; thence in a Westerly direction along the South line of the right of way of the Southern Railway Company to the point where the same intersects the North-South half section line in Section 15, Township 5 South, Range 5 West; thence North along said half section line to the North boundary of the Spring Hill Church and Cemetery property; thence West along the North line of the Spring Hill Church and Cemetery property to the West line of the Mrs. R. W. Holland Subdivision; thence North along the West line of Block B of the Mrs. R. W. Holland Subdivision to the Northwest

corner of said Block B; thence in a Northeasterly direction along the North line of said Block B to the North-South centerline of Section 15, Township 5 South, Range 5 West; thence North along the centerline of Section 15, Township 5, Range 5 West, to the South right of way line of U. S. Highway No. 72A; thence East along the South right of way line of U. S. Highway No. 72A to the point where it intersects the present West line of the City Limits of the City of Decatur; thence following the present City Limit line of the City of Decatur in a Southerly and Westerly direction as the same meanders to the point of beginning.

TRACT 2.

Beginning at the center of Section 31, Township 5 South, Range 4 West, thence South along the North-South centerline of the Section to the South boundary of said Section; thence West along said boundary to the West property line of Jessie Russell; thence South along the West property lines of Jessie Russell, Rube and Rosie Crow, W. F. Lamon and James C. Taylor, to the East-West centerline of Section 6, Township 6 South, Range 4 West; thence East along said centerline to the Northwest corner of Cedar Lake; thence South along the West boundary of Cedar Lake to the South boundary of said Section 6; thence West along said South boundary to the Northeast corner of the W½ of the NE¼ of the NW¼, Section 7, Township 6 South, Range 4 West; thence South to the South boundary of the N½ of the NW¼ of Section 7, Township 6 South, Range 4 West; thence West along said South boundary to the center of the NE¼ of Section 12, Township 6 South, Range 4 West; thence South to the East-West centerline of said Section 12; thence West to the West boundary of said Section 12; thence North to the Northwest corner of said Section 12; thence West along the South boundary of Section 2, Township 6 South, Range 5 West to the Southwest corner of the SE¼ of the SE¼ of said Section 2; thence North to the Northeast corner of the SE¼ of the SW¼ of the SE¼ of said Section 2; thence West along the North boundary of the S½ of the SW¼ of the SE¼ of said Section 2 to the North-South centerline of said Section 2; thence South along said centerline to the South boundary of said Section 2, thence West along said South boundary to the Southwest corner of the SE¼ of the SW¼ of said Section 2; thence North along the East boundary of the SW¼ of the SW¼ of said Section 2 to the Northeast corner thereof; thence West to the Northwest corner thereof; thence West along the North boundary of the SE¼ of the SE¼ of Section 2 Township 6 South, Range 5 West to the Northwest corner of the E½ of the SE¼ of the SE¼ of Section 3; thence South along the West boundary of said E¼ to the North boundary of Section 10, Township 6 South, Range 5 West; thence West along said North boundary to the Northwest corner of the NE¼ of the NE¼ of said Section 10; thence South along the West boundary of said forty to the Southwest corner thereof; thence East along the South boundary of said forty to the Chapel Hill Road; thence Southwest along the Chapel Hill road to the East-West centerline of said Section 10; thence East along said centerline to the East boundary of said Section 10; thence South along said East boundary to the Southeast corner of the NE¼ of SE¼ of said Section 10; thence West along the South boundary of the N½ of the SE¼ of said Section 10 to a point 35 rods West of the Southwest corner of the NE¼ of the SE¼ of said Section 10; thence South to a point 105 feet North and 35 rods West of the Southeast corner of the SW¼ of the SE¼ of said Section 10; thence West a distance of 420 feet; thence South a distance of 105 feet to the South boundary of said Section 10; thence West along said South boundary to the Southwest corner of said Section 10; thence North along Section lines to the half mile post on the East boundary of Section 33, Township 5 South, Range 5 West; thence West to the Southwest corner

of the E½ of the NE¼ of said Section 33; thence North to the North boundary of said Section 33; thence East along the Section lines to the point of intersection with the South right of way line of Old Alabama Highway No. 24 (Old Moulton-Decatur Highway); thence Northeasterly along said Right of Way Line to the point of intersection with the East boundary of the NW¼ of the NW¼ of Section 26, Township 5 South, Range 5 West; thence South along said East boundary to the Southeast corner of said forty; thence East along the North boundary of the SE¼ of the NW¼ of said Section 26 to the Northeast corner of the W½ of the SE¼ of the NW¼ of said Section 26; thence South to the Southeast corner of said half forty; thence East to the center of said Section 26; thence North to the Northwest corner of the SW¼ of the NE¼ of said Section 26; thence East to the center of the NE¼ of said Section 26; thence North along the West boundary of the NE¼ of the NE¼ of said Section 26 and the West boundary of the E¼ of the SE¼ of Section 23, Township 5 South, Range 5 West, to the point of intersection with the South right of way line of Old Alabama Highway No. 24 (Old Moulton-Decatur Road); thence Northeast along said Right of Way to the point of intersection with the present City Limit line; thence East, South, West, Southeast, South, East, Southwest, West, South and East along the present City Limits to the point of beginning.

TRACT 3.

Beginning at a point on the West boundary of U. S. Highway 31, which is on the present City Limit line of the City of Decatur on the South boundary of the NE¼ of the SW¼, Section 32, Township 5 South, Range 4 West; thence North along the present City Limit line a distance of 396 feet to the South margin of an unnamed road; thence continuing North along the present City Limit line a distance of approximately 40 feet to the North margin of said unnamed road, which is the true point of beginning; thence West along the South boundary of Wilkerson-Garth property to the Southwest corner thereof; thence North along the West boundary of Wilkerson-Garth property to the South boundary of the Rosie Houston property; thence East along the South boundary of the Rosie Houston property to the Southwest corner of the Shug Malone property; thence North along the East boundary of the Rosie Houston property to the East-West centerline of Section 32, Township 5 South, Range 4 West; thence West along said centerline to the Southwest corner of Lot 12, Echols-Faulk Subdivision; thence North along the West boundaries of Lots 12, 7 and 6 to the Southwest corner of Lot 1; thence West along the South boundaries of Lots 2 and 3 to the West boundary of the NE¼ of the NW¼ of Section 32, Township 5 South, Range 4 West; thence North along said West boundary to the present City Limit line; thence East, Southeast and South along the present City Limit to the true point of beginning.

TRACT 4.

Beginning at the point where the present City Limit line intersects the East boundary of Section 5, Township 6 South, Range 4 West; thence South along the Section lines to the half mile post on the East boundary of Section 8, Township 6 South, Range 4 West; thence West along the East-West centerline of said Section 8 to the West right of way line of the L. & N. Railroad; thence Northwest along said right of way line to a point directly West of the North boundary of Davis & Randall Addition; thence East along the North boundary (extended) to the East right of way line of U. S. Highway 31; thence North along the East right of way line of U. S. Highway 31 to the present City Limit line; thence Southeast and South along the present City Limit line to the point of beginning.

TRACT 5

All of the N½ of the NE¼, Section 11, Township 6 South, Range 5 West, except the property shown on the map in the Morgan County Tax Assessor's office to be owned by C. W. Mitchell, A. M. Royer, C. L. and Minnie Irick, Wilson Mitchell and Mrs. Sallie Mitchell.

TRACT 6

That part of the SW¼ of the NE¼, Section 11, Township 6 South, Range 5 West shown by the map in the Morgan County Tax Assessor's office to be owned by Chas. B. Mitchell, and all of the E½ of the NW¼, Section 11, Township 6 South, Range 5 West, except the portions shown by the map in the Morgan County Tax Assessor's office to be owned by C. W. Mitchell and F. L. Bentley.

TRACT 7

Beginning at the half mile post on the South boundary of Section 30, Township 5 South, Range 4 West; thence North, Northeast, East and South along the present City Limit line to the Northeast corner of Section 31, Township 5 South, Range 4 West; thence South along the Section line to the intersection with the West right of way line of the L. & N. Railroad; thence Northwest along said right of way line to a point 517.39 feet South of the North boundary of said Section 31; thence West a distance of 1092.53 feet to the West boundary of the NE¼ of the NE¼ of said Section 31; thence North along said West boundary to the North boundary of said Section 31; thence West along said North boundary to the point of beginning.

TRACT 8

All of Section 4 and the N½ of Section 9, Township 6 South, Range 4 West lying South of the South right of way line of Alabama Highway 67 and the present City Limit line.

TRACT 9.

All of the S½ of the NW¼, Section 8, Township 6 South, Range 4 West, lying West of the L. & N. Railroad right of way.

TRACT 10

The S½ of the NE¼ and the NW¼ of the NE¼, Section 6, Township 6 South, Range 4 West.

TRACT 11

Beginning at a point on the present City Limit line identified by TVA Monument No. 79 at the Southwest corner of the E½ of the SE¼ of the NW¼ of Section 33, Township 5 South, Range 4 West, and running thence North along the West line of said E½ of SE¼ of NW¼ of Section 33, to the City Limit line at Brookmead Road; thence East along the present City Limit line to the point where said line turns South, which point is 324.80 feet West of the West margin of Meadowbrook Road; thence in a southerly direction along the present City Limit line 1282.06 feet to a point; thence in a Westerly direction along the present City Limit line a distance of 25 feet; thence in a southerly direction along the present City Limit line a distance of 20 feet to a point on the South margin of the NW¼ of said Section 33; thence West along the South margin of the NW¼ of said Section 33 to the point of beginning.

SECTION 2. This Act shall be effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 4, 11, 18, and 25, all in the year 1959.

B. C. SHELTON.

Sworn to and subscribed before me Sept. 26, 1959.

R. L. JERVIS,
Notary Public.

Also:

By Mr. Jones (Covington):
H. 968. Relating to the purging of voter registration lists in Covington County; providing for periodic reidentification of registered voters in Covington County and for the removal of the names of those now required by law to be stricken from the lists of registered voters in Covington County; providing for supplies to carry out reidentification and to maintain current voter files in the county; providing for the administration and enforcement of the act; and prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the purging of voter registration lists in Covington County; providing for periodic reidentification of registered voters in Covington County and for the removal of the names of those now required by law to be stricken from the lists of registered voters in Covington County; providing for supplies to carry out reidentification and to maintain current voter files in the county; providing for the administration and enforcement of the act; and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Covington County is hereby directed to purge all lists of registered electors of the county to the end that the names of all who are deceased or non-residents of the county or who have otherwise become disqualified from voting therein shall be removed from such lists, and to the end that the name of each qualified elector shall in the future appear on the list of qualified electors for the district and precint in which he resides.

Section 2. The court of county commissioners, board of revenue or like governing body of Covington County is hereby authorized and directed to furnish to the board of registrars of Covington County clerical assistance, equipment, supplies, office space, telephone service, postage and publicity adequate and sufficient to enable the board to carry out the reidentification of registered voters as required herein and to carry out its functions as required by law. The clerk or clerks shall be appointed by the board of registrars with the approval of the governing body and the salary or salaries of such clerk or clerks shall be set by the county governing body.

Section 3. The board of registrars of Covington County shall be furnished by the judge of probate of the county or other custodian of the registration records, for use in setting up the alphabetical card file herein prescribed, all records on file in the probate office concerning the registration, purgation, and transfer of registered voters, dating from the adoption of the Constitution of 1901. On the basis of such information, the board of registrars shall compile an alphabetical card file, showing the name of each registrant as it appears on the records of registration; the full name of each registrant, upon receipt of such information; the registrant's date of birth, if given on such records, or, if not so given, the age at the time of registration; the registrant's address, if given at the time of registration; the date such registrant was registered and the precinct, ward or district of registration; and the precinct, ward or district in which the name of the voter appeared on the latest-published list of qualified voters or on which it appears according to the records of the board of registrars in cases where such records are on file. Cards shall provide spaces for recording changes of addresses and transfers of registrants from one voting precinct, ward, or district to another, and for the full name of the registrant. From the records relating to purging, the board shall ascertain the names of all persons in the file of registrants who have been stricken from the registration lists, and shall place on the proper cards the date and the reason for which each person was stricken or the fact that no reason is recorded, if such be the case. The alphabetical card file herein provided for shall hereafter be kept current by the board of registrars in all future operations.

Section 4. The board of registrars may purchase at the expense of the county, in addition to such other supplies as are required to be furnished to the board, the following supplies; forms for reidentification, applications for reinstatement on the list of registered voters; and books with removable pages, suitable for binding, for use by the board of registrars in notifying the probate judge of transfers of voters, for lists of persons registered, purged and transferred; and for such other lists as are herein required to be filed by such board.

Section 5. Upon establishment of the card file as herein required, the board of registrars shall proceed with the reidentification of registered voters.

Section 6. In executing the provisions of this act, the board of registrars of Covington County may require a voter to answer such

questions and submit such proof as may reasonably be required by the board of registrars to establish the voter's identity and place of legal residence and that he is legally registered and has not become disqualified for voting in such county. The form for the reidentification of voters shall be substantially as follows:

(To be filled in by members of Board of Registrars):

Name _____ (As registered).

Full name_____ (Married women's full maiden name and married surname).

Registered in Covington County on_____(date) in _____ (Precinct, ward or district).

Date of birth or age as shown on registration record_____.

If then given, address at time of registration _____.

(If applicant has been previously stricken):

Name _____ (As on striking record).

Date of purging _____.

Reason for purging _____.

Date reinstated _____ _____.

(Following shall be filled in by the applicant for reidentification without assistance and in the presence of the board.)

Oath to be administered by board:

I solemnly swear (or affirm) that I will speak the truth, the whole truth, and nothing but the truth, so help me God.

Signature of applicant_____

Oath administered by _____ (Board member signs)

Full name _____.

Date of birth _____.

Mailing address _____.

Permanent address (if not same as above) _____.

Location of legal residence claimed (if in rural area or in urban areas where there are no house numbers, give distance from well-known points) _____.

If board requires further information, it will be placed in space below: _____

Have you ever been convicted of or fined for any offense? (If traffic violation only, write "traffic violation only") _____.

If offense is other than traffic violation, state nature of offense, court in which fined or sentenced, approximate date, amount of fine or length of sentence _____.

Have you ever been declared legally insane? _____.

Since registering in Covington County on the date above, have you ever moved away and abandoned your residence in the county or state?

_____.

Since registering in Covington County on the date above, have you ever voted in another county or state, or registered to vote in any other county or state? _____.

(Signature of applicant)

I hereby certify that_____, the applicant, filled out the above form in my presence and without assistance.

(Signature of board member)

Date_____

ACTION OF BOARD:

Approved _____ (Date)

Board Chairman

_____ _____
Member Member

Disapproved _____ (Date)

Board Chairman

_____ _____
Member Member

(To be filled out by a member of the board of registrars):

If applicant has been convicted of any offense disqualifying him under the Constitution of Alabama to vote, it shall be ascertained to the satisfaction of the board whether or not he received restoration of citizenship prior to being registered on the date given above.

Restoration of citizenship: Date_____ Certificate No._____

(Signature of board member)

Section 7. Persons unable to read and write shall be placed under oath and forms of reidentification shall be filled out for them by a member of the board; provided their inability to read and write is due solely to physical conditions, in the case of those persons registered since December 19, 1951. The form of reidentification application shall be the same except that it shall provide, in addition, the following statement:

_____ appearing before me,
(Full name of applicant)

_____ on _____
(Board member) (Date)

states that he is unable to read and write and to fill out the reidentification form without assistance. He states that the reason for his inability is due to: (Check one):

() Illiteracy.

() Physical condition only. He further states that the physical condition making him unable to read and write or to fill out the form is substantially as follows: _____ and that such disability has existed since _____ (date). (If illiteracy is the reason, fill out one of the following):

() Applicant was registered prior to December 19, 1951.

() Applicant was registered on or after December 19, 1951.

Section 8. The board of registrars of Covington County shall require the applicant who requests assistance in the filling out of the form to answer such questions and submit such proof as may reasonably be required to establish whether or not the voter, in fact, is physically disabled or has not ever been able to read and write due to reasons other than physical disability. In the case of persons registered on or after December 19, 1951, the board of registrars shall not be required to fill out the complete reidentification form for those requesting assistance due to illiteracy, but shall fill out only such portion as may be necessary to identify the person with the record of his registration.

Section 9. In the case of persons serving in the armed forces, and their husbands or wives who are temporarily residing with them outside the state of their legal residence, and in the case of veterans in veterans' hospitals, reidentification shall be permitted by mail; provided, however, that the reidentification form is accompanied upon its return to the board of registrars by a notarized statement from the commanding officer of the serviceman or the official in charge of the veterans' hospital setting out that the form was filled out as required herein the presence of the undersigned by the applicant without assistance. If assistance is required by the applicant, then the form as provided for those requiring assistance shall be completed and shall be signed by the commanding officer or person in charge of the veterans' hospital who shall state his official title. The court of county commissioners, board of revenue or like governing body of Covington County shall furnish the board of registrars with reidentification forms providing for the signature of a commissioned officer of the armed forces or a person in charge of a veterans' hospital as herein provided. Upon request of the registered voter, the board of registrars shall forward a reidentification form for those requiring no assistance or a form for those requiring assistance; provided, however, that the board shall not approve the reidentification application of any illiterate person registered on or after December 19, 1951.

Section 10. The names of all persons found, by their applications for reidentification, or by other information available to the board, to have become disqualified for voting since the date of registration, or found to be illegally registered, shall be given notice in the manner required by law, and the board shall set the date for the hearing. The board shall remove names from the list of registered voters as now required by law, provided, however, that the name of any applicant found to be disqualified for remaining on the registration list may be stricken

at any time the board is in session provided that the necessary notices, if required by law, have been given and a hearing, if required by law, held. No notice shall be required in the case of persons who have died, permanently moved out of the state, or have been declared insane by inquisition of lunacy.

Section 11. Any person who makes a willfully false statement to the reidentification questionnaire or in response to reidentification questions put to him by the board of registrars of Covington County or any of its employees shall be guilty of perjury and, upon conviction, shall be punished by imprisonment in the penitentiary for not less than one or more than five years.

Section 12. Whenever it is found that the name of a registered elector has been purged from the registration list of Covington County and the person so purged appears before the board of registrars and states that he is not disqualified for voting under the laws of this state, the board of registrars shall place such person under oath and shall require that he fill out the application for reinstatement herein provided. If, upon examination of the application for reinstatement and all other available information, the board of registrars of Covington County shall determine that the name was purged from the registration list by error, that the person was legally registered in the first instance, and has not since become disqualified as provided by state law, then at least two members of the board shall sign the application approving the reinstatement and the probate judge of Covington County shall be notified and a permanent record of the reinstatement shall be made in the records of the board of registrars, and reference to the reinstatement record shall be placed by the name of the persons in the records of stricken voters, and the application shall be retained as a permanent record of the board of registrars. The application for reinstatement required herein to be filled out by a person claiming to have been erroneously purged from the list of registered voters shall be furnished by the court of county commissioners, board of revenue or like governing body of Covington County to the board of registrars and shall be as follows:

APPLICATION FOR REINSTATEMENT

I do solemnly swear (or affirm) that I will speak the truth, the whole truth, and nothing but the truth, so help me, God.

_____ (Signature of applicant)

_____ (Board member administering oath)

(1) I first learned on or about_____ (date) that my name had been stricken from the list of registered voters of Covington County.

(2) My present address is:_____.

I have resided at this place since_____. In Covington County since _____.

(3) I registered in_____(give year)

Have you since moved out of the county?_____.

Have you since abandoned your residence in the county?_____
If you have been temporarily absent from the county or state since registering, give dates, place where you were, and reason for absence:

_____.

(4) Have you ever been convicted of any offense? _____. If so, give charge, penalty, date, place and court:_____

(5) Have you ever been legally declared insane? _____

(6) Are you able to read and write sections of the U. S. Constitution and to vote without assistance? _____

(7) Do you know any reason why you would be disqualified from voting?_____

Signed:_____
Applicant.

APPROVED: Date _____

_____ (Board Member)

_____ (Board Member)

_____ (Board Member)

DISAPPROVED: Date_____

_____ (Board Member)

_____ (Board Member)

_____ (Board Member)

County of Covington, State of Ala.

(To be filled out by board)

Registrant's full name _____

Name as on registration records _____

Date of birth _____

Reason for striking as shown on records _____

Date of striking _____

Date registered _____

Covington County, Alabama.

Date: _____

Section 13. The court of county commissioners, board of revenue or like governing body of Covington County shall furnish the board of registrars of the county with a description, as it appears on record, of all election precincts, wards and districts within the county, and shall, in addition, furnish a map of the county with the boundary lines, as on record, drawn on the map so as to indicate such precincts, wards, and districts. Whenever the boundaries of any election precincts, wards or districts are altered or changed, the authority making such changes shall furnish the board of registrars with the revised boundaries of all such precincts, wards and districts at the same time as such boundaries are filed with the judge of probate. The board of registrars shall not be required to place the names of persons registered to vote or of persons moving from one precinct, ward, or voting district to another according to the lines of such precincts, wards, or voting districts so created or so changed until such descriptions and maps as herein provided to be given have been filed with the board of registrars and un-

less such have been filed at least three months before any general, special, primary, or municipal election in Covington County or any municipality thereof.

Section 14. The board of registrars of Covington County, during or upon completion of reidentification, and in all future operations, shall, in the manner prescribed by law, make transfers of registered voters from one voting precinct, ward or district to another whenever sufficient evidence is furnished them that an elector has permanently moved from one voting precinct, ward or district to another, but shall record the transfer as herein provided. Whenever the board of registrars transfers any registered voter from one voting precinct, ward or district to another, the board shall record in a voter transfer book the full name, birth date, year of registration, previous precinct, ward, or district of voting, and the precinct, ward, or district to which the registrant is transferred, according to the findings of the board and according to the provisions of law as to the length of residence, and each action shall be given a number, starting with the number one (1). The original of the transfer record shall be filed with the judge of probate, which official shall place all names on the lists of qualified electors furnished election officials according to the actions of the board of registrars, provided notice of such action by the board is received at least two weeks prior to the election for which the list is prepared. The voter transfer books required to be maintained by this act shall be purchased by the board at the expense of the county, and such books shall be appropriate in design and composition for their purpose as declared by this act.

Section 15. The board of registrars of Covington County shall be allowed one meeting day for each 300 names on the registration list of the county, exclusive of those which have been stricken, for the purpose of conducting the reidentification of registered voters herein provided to be held periodically. The board shall set the dates of meetings, and the hours of each meeting; provided, however, the board shall be in session at each meeting no less than seven hours. The board may determine the total number of meetings required, not to exceed one per 300 registrants. In all cases, the board of registrars must complete its reidentification meetings within two years from the date registration began in the county and within the calendar year of 1970 and each 10 years thereafter. A notice of the beginning of reidentification and the dates of meetings for reidentification must be published in a newspaper of general circulation in Covington County or be posted at the county courthouse at least three days in advance of any meeting held for that purpose. The number of meeting days for reidentification after the days on which notice is given, must be stated along with each notice of meeting days. Such meeting days shall be in addition to those now required or permitted by law and no registration of persons shall be conducted when the board is in session for the purpose of reidentification. In the event the board of registrars fails to complete the voter reidentification program in the length of time allowed herein, up to 20 additional meeting days may be held, provided, written permission is granted by the court of county commissioners, board of revenue or like governing body of the county.

Section 16. For each day's attendance upon special sessions of the board of registrars under the provisions of this act, the members of the board of registrars of Covington County shall each receive the amount prescribed by law, to be paid and disbursed by the county governing body, but if any such special session is held on the same day a regular session is required to be held under the laws of this state, each registrar shall be entitled to receive only one per diem allowance for one day's service.

Section 17. All persons who have not been stricken from the registration list but who have failed to reidentify themselves by the close of the last meeting of the board for reidentification shall be advertised for striking in the manner provided for advertising names of persons who have become non-residents of the county. A date for hearing shall be set not sooner than twenty (20) days after advertising of the notice of hearing. All persons failing to reidentify themselves and failing to appear on the date specified for hearing and show cause why their names should not be stricken, shall be stricken from the registration lists as non-residents of Covington County.

Section 18. Upon the completion of reidentification, the board of registrars of Covington County shall file in the office of the judge of probate of Covington County, and in its own office, a list of all persons on the registration lists of the county who properly identified themselves and whose application for reidentification was approved; provided they had not been previously stricken, or were reinstated, and provided they were not stricken during the period of reidentification. The full name of each person shall be used, and birth dates shall be given. The person charged with the making of lists of qualified voters to be used in elections shall include thereon only the names appearing on such reidentification list or thereafter reinstated upon the registration list, or added to the registration list, and shall use the names as they appear on the list of reidentified and registered voters. Books containing the names of all persons stricken during the process of reidentification shall be filed with the judge of probate as required by law, and, in addition, a copy shall be filed at the office of the board of registrars.

Section 19. All registered voters of Covington County shall be required henceforth to maintain with the board of registrars of Covington County current mailing addresses and such information as to places of legal residence as may be required by the board of registrars to perform its duties. Following expiration of the time for reporting information as herein provided through reidentification, if any first class mail sent to the address on file with the board of registrars is returned to the board office, or a person fails to respond to inquiry by the board concerning abandonment of residence in Covington County, the board may advertise the name of such person for removal from the list of registered electors as a non-resident, and may proceed to remove the name as otherwise provided by law.

Section 20. Any member of the board of registrars of Covington County who neglects or willfully refuses to perform the duties herein provided in regard to the transfer, striking, and reidentification of persons whose names appear on the list of registered electors of Covington County, and in regard to keeping of records as herein provided, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the same penalties as now provided by law for failure or refusal to purge the list of registration.

Section 21. The board of registrars of Covington County shall not hereafter be authorized to conduct a reidentification of registered voters in any manner other than as herein provided and reidentification shall be required to be conducted by the board of registrars of Covington County in 1970 and each 10 years thereafter, in the manner as herein prescribed; provided, however, that only one calendar year shall be used to conduct reidentifications in 1970 and thereafter.

Section 22. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Larry K. Woodham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Managing Editor of the The Florala News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 17, Sept. 24, Oct. 1, and Oct. 8, all in the year 1959.

LARRY K. WOODHAM.

Sworn to and subscribed before me Oct. 9, 1959.

H. A. KELLEY,
Notary Public.

Also:

By Messrs. Hawkins, Edwards, Morrow, Sessions, Rast, Perry, Locke:
H. 982. To amend Section 799, Title 37, of the 1940 Code of Alabama, as heretofore amended.

Also:

By Messrs. Sessions, Locke, Edwards, Morrow, Perry, Rast, and Hawkins:
H. 990. To amend Section 288 of Title 62 of the Code of Alabama of 1940.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the next session of the Legislature of Alabama, for introduction and passage of a bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Board of Cosmetology as provided for under the Provisions of Section 285, 288 and 289 of Title 62 of the 1940 Code of Alabama as last amended; Section 285 providing the Board shall take into consideration the financial qualifications of the applicant and in no case shall the Board grant a certificate of approval to any applicant if the applicant fails to show sufficient financial worth and responsibility to property conduct a school and fails to assure the Board that the applicant's financial resources from tuitions will be ample to maintain and operate the school and assure the graduation of students who are registered with and have paid their tuition to the school. Nothing contained in this chapter shall prevent any duly approved school teaching hair dressing and beauty culture from making a charge for student work

done in the school to cover the costs of materials used. Section 288 providing that the members of each Board shall at least every six months hold an examination for the purpose of determining the qualifications of applicants to become cosmetologists. Said Board shall receive $30.00 per diem when said Board is in session provided, however, that no member of such Board shall receive more than $600.00 for such services in one year. Section 289 providing that each school shall pay an original license of $200.00 and $50.00 for each renewal thereafter.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of The Birmingham Messenger Sept. 5, 12, 19, 26, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 28th day of September, 1959.

SARA WHEELER,
Notary Public.

Also:

By Messrs. Sessions, Morrow, Edwards, Rast, Perry, Locke, and Hawkins:

H. 991. To repeal Act No. 430 of the 1957 Regular Session of the Legislature of Alabama, approved September 6, 1957 (Acts of Alabama Regular Session 1957, page 593) entitled "An Act, To Authorize, Regulate and Provide For the payment of supplemental benefits to certain beneficiaries of municipal employees' pension, relief or retirement systems in cities in this state having a population of three hundred thousand or more, according to the last or any subsequent federal decennial census."

Also:

By Messrs. Sessions, Morrow, Edwards, Rast, Perry, Locke, and Hawkins:

H. 993. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Also:

By Messrs. Edwards, Morrow, Locke, Hawkins, Sessions, Perry, Rast:

H. 874. To apply to cities having a population of not less than 23,500 and not more than 100,000 inhabitants according to the last or any subsequent federal decennial census, to provide that when the statute providing for the organization of a Commission form of government in

any such City shall be declared invalid, illegal or unconstitutional, it may by ordinance adopted by its governing body become organized under the Commission form of government as provided in Act No. 96, General Laws of Alabama (Second Special Session of 1959) approved August 17, 1959, and to authorize an election on the question of adopting any other form of government under any other statute by petition and election of the qualified electors of such City.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 939, 850, 968, 982, 990, 991, and 993 — to the Committee on Local Legislation

H. B. 874 — to the Committee on Municipalities and Municipal Organizations

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Rast, Perry, Hawkins and Edwards:
H. 662. For the relief of Robins Engineering, Inc: To make an appropriation of State Highway Department funds to compensate such company for certain construction work done on Alabama Highway Project S-532-B Lauderdale County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 662 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Ashworth:
H. 1065. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory of the Town.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
BIBB COUNTY.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

Be It Enacted by the Legislature of Alabama:

Section 1: The boundaries and corporate limits of the Town of Brent, Bibb County, are hereby altered, rearranged, and extended so as to include within the corporate limits of the town the following described territory, to-wit:

Beginning at a pipe monumenting the Southeast corner of the Northeast quarter of Section 34, Township 23 North, Range 9 East, St. Stephens Meridian, Bibb County, State of Alabama, and run thence Westerly with the half section line through said section 34 a distance of 3958 feet, more or less, to the Northeast corner of the Northwest quarter of the Southwest quarter of said section 34; thence run in Southwesterly direction, in a straight line, a distance of 4760 feet, more or less, to the Northeast corner of the Northwest quarter of section 4, Township 22 North, Range 9 East, St. Stephens Meridian; thence run in a Southwesterly direction in a straight line, a distance of 2905 feet, more or less, to the Southeast corner of the North half of the Northeast quarter of the Southeast quarter of Section 5, Township 22 North, Range 9 East; thence run in a Southerly direction with the East boundary of said section 5, a distance of 1980 feet, more or less, to a steel axle monumenting the Southeast corner of said section 5; thence run in a westerly direction with the South boundary of said section 5 a distance of 3100 feet, more or less, to the center line tangent of State Highway No. 5 as now located; thence run in a Northwesterly direction, in a straight line, a distance of 2100 feet, more or less, to the Northwest corner of the South half of the Northeast quarter of the Southwest quarter of said section 5; thence run in a Northeasterly direction, in a straight line, a distance of 4665 feet, more or less, to a point on the South Boundary of section 32, Township 23 North, Range 9 East and 660 feet West of the Southeast corner of said section 32; thence run in a Northeasterly direction, in a straight line, 6230 feet, more or less, to the Southwest corner of the Southeast quarter of section 28, Township 23 North, Range 9 East; thence run in a Northerly direction with the half section line through said section 28 a distance of 2640 feet, more or less, to the center thereof; thence run easterly with the half section line through said section 28 a distance of 1320 feet, more or less, to the Southwest corner of the East half of the Northeast quarter of said section 28; thence in a Northerly direction with the West boundary of the said East half of the Northeast quarter of said section 28, a distance of 2640 feet, more or less, to the Northwest corner thereof; thence run in an Easterly direction with the North boundary of said section 28 a distance of 1320 feet, more or less, to a pipe monumenting the Northeast corner of said section 28; thence run in a Southerly di-

rection with the East boundary of said section 28, a distance of 1320 feet, more or less to the Northwest corner of the South half of the Northwest quarter of section 27 of said Township 23 North, Range 9 East; thence in an Easterly direction with the North boundary of the said South half of the Northwest quarter of said section 27 a distance of 2640 feet, more or less, to the Northeast corner thereof; Thence in a Southerly direction with the East boundary of the said South half of the Northwest quarter of the said section 27 to the Southeast corner thereof; thence run Easterly with the Half section line through said Section 27, a distance of 2640 feet, more or less, to the Southeast corner of the Northeast quarter of said section 27; thence run in a northerly direction with the West boundary of section 26, Township 23 North, Range 9 East, a distance of 458 feet, more or less, to a concrete post monumenting a Southwest corner of lands now owned by Virgis M. Ashworth; thence South 72 degrees and 17 minutes East with the line of the lands of the said Virgis M. Ashworth, a distance of 648.3 feet, more or less, to a concrete post; thence South 19 degrees and 50 minutes East with the line of the land of the said Virgis M. Ashworth, a distance of 290 feet, more or less, to a point in U. S. Highway No. 82 and State Highway No. 5 and on the East-West half section line through said section 26; thence Easterly with the said half section line through said section 26, a distance of 579.7 feet to a point in the said U. S. Highway No. 82 and State Highway No. 5 and 18.4 feet North of the center line thereof and said point being 3932 feet West from the Southeast corner of the Northeast quarter of said section 26; thence South 00 degrees and 32 minutes West a distance of 1197 feet to a point marked by a steel rod; thence Northwesterly, in a straight line, a distance of 1259 feet, more or less, to a concrete post marking a corner of lands now owned by Jessie Dean Young and Mary Young; thence South approximately one degree West a distance of 1788 feet, more or less, to a pipe marking the Southeast corner of section 27, Township 23 North, Range 9 East and which said pipe is 24.5 feet South of the centerline of the Gulf, Mobile and Ohio Rail Road center line tangent; thence run southerly with the East boundary of section 34, Township 23 North, Range 9 East a distance of 2641.6 feet, more or less, to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 10-1, 10-8, 10-15, and 10-22, all in the year 1959.

J. W. OAKLEY, SR.

Sworn to and subscribed before me October 22, 1959.

MARVIN HUETT,
Notary Public.

Also:

By Mr. Gordon:

H. 1066. To amend Section 2 of Act No. 57, H. 54, approved February 7, 1956 (Acts of Alabama, Special Sessions 1956, p. 86), the act levying a one cent per gallon tax on gasoline, kerosene, and diesel fuel sold, distributed, stored, or used in Blount County, by exempting liquefied petroleum gas, butane, and propane, sold for heating, cooking, and lighting purposes.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 57, H. 54, approved February 7, 1956, (Acts of Alabama, Special Sessions 1956, p. 86), the act levying a tax of one cent per gallon upon the selling, distributing, storing or withdrawing from storage in Blount County, for any use, gasoline, kerosene, and diesel fuel, is amended to read as follows:

"Section 2. In addition to all other taxes and licenses, there is hereby levied upon every distributor, refiner, retail dealer or storer of gasoline, kerosene, or diesel fuel in Blount County, Alabama, an excise tax of one cent per gallon upon the selling, distributing, storing or withdrawing from storage in Blount County for any use, gasoline, kerosene, or diesel fuel as defined by this Act. Provided, the tax shall not be levied or paid on the sale of gasoline, kerosene, or diesel fuel in interstate commerce, or to the United States or its agencies, or direct to the State of Alabama, nor shall the tax be levied or paid on liquefied petroleum gas, butane, propane, gasoline, kerosene, diesel fuel, or substitute therefor, when sold or delivered for use as a fuel for heating or cooking, or for lighting purposes. When the tax levied herein shall have been paid by a distributor, refiner, retail dealer or storer, such payment shall be sufficient, the intention being that the tax shall be paid but once. The tax shall not be levied or paid on gasoline, kerosene, or diesel fuel which is withdrawn from storage within Blount County for delivery only to a point or points outside the county, when the distributor or seller of such gasoline, kerosene, or diesel fuel prepares and files with the governing body of Blount County written statements sworn to and subscribed, in such form as may be required by the county governing body, showing the name and address of the person to whom the gasoline, kerosene, or diesel fuel is or has been delivered by the distributor; the volume and kind of such gasoline, kerosene, or diesel fuel; the dates of such withdrawals; and the point or points outside the county to which such gasoline, kerosene, or diesel fuel is delivered or is to be delivered."

Section 2. This Act shall become effective immediately upon its passage and approvel by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 17, September 24, October 1, and October 8, all in the year 1959.

RICE M. HOWARD.

Sworn to and subscribed before me October 8, 1959.

MOLLY RYAN,
Notary Public.

Also:

By Messrs. Albea and Merrill:
H. 1067. Relating to counties having a population of not less than 75,000 nor more than 93,000 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers.

Also:

By Messrs. Johnson (Hardaway) and Johnston (Leonard):
H. 1069. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The following officers of Elmore County shall be entitled to receive annual salaries in lieu of any fees, commissions, allowances, percentages, charges, and costs, except as herein otherwise provided:

1. The judge of probate shall receive an annual salary of ten thousand dollars, which shall include compensation for all ex officio duties.

2. The sheriff shall receive an annual salary of nine thousand dollars. The sheriff shall also be entitled to an allowance of one hundred fifty dollars a month for travel expenses.

3. The tax assessor shall receive an annual salary of seven thousand eight hundred dollars.

4. The tax collector shall receive an annual salary of six thousand two hundred dollars.

5. The clerk of the circuit court shall receive an annual salary of six thousand dollars, which shall include his compensation for all ex officio duties including services as ex officio Clerk of the Elmore County Court.

6. The register of the circuit court shall receive an annual salary of one thousand eight hundred dollars.

(b) The court of county commissioners, board of revenue, or other like governing body of Elmore County may, in its discretion, decrease the salaries of any one or more of the officers enumerated in subsection (a), provided that such decrease shall not take effect during the term for which such officer was elected or appointed, and provided also that the salary of the judge of probate shall not be reduced below seven thousand two hundred dollars per annum, the salary of the sheriff shall not be reduced below six thousand dollars per annum, the salary of the tax assessor shall not be reduced below five thousand four hundred dollars per annum, the salary of the tax collector shall not be reduced below five thousand dollars per annum, the salary of the clerk of the circuit court shall not be reduced below five thousand dollars per annum, and the salary of the register of the circuit court shall not be reduced below twelve hundred dollars per annum.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Elmore County shall provide compensation for clerks, assistants, and secretaries for the officers enumerated in this Act in such number as may be necessary for the efficient conduct of their offices; provided, the judge of probate shall not be allowed more than two full time clerks, and each of the other officers, other than the sheriff, shall not be allowed to appoint but one clerk, assistant, or secretary. The sheriff shall be allowed the same number of deputies, jailers, and other assistants as are now provided by law, who shall receive the compensation and allowances as now prescribed by law. Temporary clerks and assistants may be allowed any of such officers from time to time as may be considered necessary by the county governing body. Each officer shall appoint his own deputies, clerks, secretaries, and assistants, and shall fix their compensation, subject to the approval of the board of revenue, county commissioners, or other like county governing body as to number and rate of pay, except as herein otherwise provided. The sheriff shall also be allowed to appoint one full time clerk whose compensation shall be fixed by the county governing body.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers enumerated in Section 1 of this Act shall hereafter be collected for the use of the county and shall be paid into the general fund of the county.

Provided, the sheriff may retain for his own use and benefit, such mileage and expense allowances as may be payable from the state treasury for returning prisoners. The compensation of the officers enumerated in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Elmore County shall provide the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register of the circuit court, with the books, stationery, office equipment, supplies, postage, and other conveniences as may be necessary for the proper and efficient conduct of the affairs of their respective offices, but not including motor vehicles; and may provide for the installation, repair, and maintenance of an inter-communication system for the sheriff and his deputies.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each county office specified at the expiration of the term of the incumbent officer, and upon the ratification of an amendment to the Constitution of Alabama submitted pursuant to H. B. 193, Act No. 125, Regular Session 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was vice-president of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 1, Oct. 8, Oct. 15. and Oct. 22, all in the year 1959.

W. H. GOLSON.

Sworn to and subscribed before me October 22, 1959.

ELAINE HOLLEY,
Notary Public.

Also:

By Mr. Roberts:
H. 1076. To amend Section Two of the Act approved March 23, 1955 (Act No. 8, H. 7, Acts of Alabama 1955, Page 114) relating to the office of Chief Clerk to the Register of the Circuit Court in Equity of Madison County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section Two of the Act approved March 23, 1955 (Act No. 8, H. 7 Acts of Alabama 1955, Page 114) relating to the office of Chief Clerk to the Register of the Circuit Court in Equity of Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section Two of the Act approved March 23, 1955 (Act No. 8, H. 7 Acts of Alabama 1955, Page 114) relating to the office of Chief Clerk to the Register of the Circuit Court in Equity of Madison County, Alabama is hereby amended to read as follows:

"Section 2. The Chief Clerk, so appointed, shall be paid a salary not to exceed Four Thousand and no/100 ($4,000.00) Dollars to be determined and fixed by the Register of the Circuit Court in Equity of Madison County, Alabama, payable in equal monthly installments."

"Section 5. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law."

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on September 30, October 7, 14, and 21, 1959.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 22 day of October, 1959.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 16, 1963.

Also:

By Messrs. Long (Perry), Barnett:
H. 1077. To provide for the establishment and operation of a public clinic in the municipality of Uniontown, Perry County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To whom it may concern:

Notice is hereby given in accordance with Section 106 of the Constitution that a bill for a local law, in substance as follows, will be introduced at the current session of the Legislature of Alabama, and application will be made for its enactment, to-wit:

To provide that the Perry County Hospital Board, a public corporation and an agency of Perry County, with the approval of the court of county commissioners, board of revenue, or other like governing body of the county, may make expenditures of county hospital tax revenues for the purpose of constructing and equipping a clinic in Uniontown, such clinic to be leased or otherwise turned over to the Town of Uniontown for operation and maintenance by the town or by its duly authorized agents, representatives, or contractees.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 1, Oct. 8, Oct. 15, and Oct. 22, all in the year 1959.

J. M. WALLACE.

Sworn to and subscribed before me 22 day of Oct., 1959.

W. C. MOODY,
Notary Public.

Also:

By Mr. Smith (St. Clair):
H. 1081. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the Corporate limits of said Town all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill, substantially as follows, will be introduced for enactment into law by the present Legislature of the State of Alabama.

AN ACT

To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the Corporate Limits of said Town all territory now within such Corporate Limits and also certain other territory in St. Clair County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section I.

That the boundary lines of the Town of Springville, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the Corporate Limits of said Town all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama, described as follows:

Southwest Quarter of Southwest Quarter of Section 31, Township 14, Range 2 East; Southeast diagonal Half of Southwest Quarter of Southeast Quarter, and the East Half of the Southeast Quarter of Section 30, Township 14, Range 2 East; Also, All that portion of the Northeast Quarter of the Southwest Quarter lying North of U. S. Highway No. 11, in Section 29, and the Southwest Quarter of Section 29, in Township 14, Range 2 East, except that portion lying South of U. S. Highway No. 11; Also, East Half of tion 36, and the Southeast Quarter of the Southeast Quarter of Section 25, in Township 14, Range 1 East, and Also, The South Half of the Southwest Quarter of Section 30, Township 14, Range 2 East, all situated in St. Clair County, Alabama.

Section II.

That the boundaries as set out in Section I, of this Act, be and the same are hereby established as the Corporate Limits of the Town of Springville, St. Clair County, Alabama, and all the territory included and embraced in said boundaries shall hereafter be and constitute the Town of Springville, St. Clair County, Alabama.

Section III.

This Act shall go into effect immediately upon the passage and approval by the Governor.

AFFIDAVIT OF PUBLISHER

STATE OF ALABAMA
ST. CLAIR COUNTY

On this 14th day of Oct. 1959, personally appeared before me Ethel Blair, Notary Public, in and for the County and State aforesaid, Pat Granette, who being duly sworn according to Law, declares that she is Bookkeeper of the "St. Clair News-Aegis," a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 9/17-24-10/1.

PAT GRANETTE.

Subscribed and sworn to before me, this 14th day of October, A. D.. 1959.

ETHEL BLAIR,
Notary Public.

Also:

By Messrs. Morrow, Edwards, Perry, Rast, Hawkins, Locke and Sessions:

H. 1072. To alter and extend the boundaries of the City of Birmingham so as to include within the city limits of the City of Birmingham part of the territory located within Section 34, Township 16, Range 2

West; Section 35, Township 16 Range 2 West; Section 26, Township 16, Range 2 West; Section 23, Township 16, Range 2 West; Section 24, Township 16, Range 2 West; Section 13, Township 16, Range 2 West; Section 7, Township 16, Range 1 West; Section 6, Township 16, Range 1 West; Section 1, Township 16, Range 2 West; Section 12, Township 16, Range 2 West; Section 11, Township 16, Range 2 West; Section 14, Township 16, Range 2 West; Section 15, Township 16, Range 2 West; Section 22, Township 16, Range 2 West and Section 27, Township 16, Range 2, in Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the current regular, or special, session of the Legislature of Alabama for introduction and passage of a bill, the substance of which as distinguished from detail is and will be in substance as distinguished from detail as follows:

A BILL
TO BE ENTITLED
AN ACT

TO alter and extend the boundaries of the City of Birmingham so as to include within the city limits of the City of Birmingham part of the territory located within Section 34, Township 16, Range 2 West; Section 35, Township 16, Range 2 West; Section 26, Township 16, Range 2 West; Section 23, Township 16, Range 2 West; Section 24, Township 16, Range 2 West; Section 13, Township 16, Range 2 West; Section 7, Township 16, Range 1 West; Section 6, Township 16, Range 1 West; Section 1, Township 16, Range 2 West; Section 12, Township 16, Range 2 West; Section 11, Township 16, Range 2 West; Section 14, Township 16, Range 2 West; Section 15, Township 16, Range 2 West; Section 22, Township 16, Range 2 West and Section 27, Township 16, Range 2, in Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Birmingham, in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said city all of the following described territory not presently located in said City of Birmingham, to-wit:

Begin at the northeast corner of Lot 27, Block 1, Cloverdale Estates, Second Addition, as recorded in Map Book 47, Page 17 in the office of the Judge of Probate of Jefferson County, Alabama, said point being a point on the present city limit line of the City of Birmingham. and said northeast corner of Lot 27, Block 1, being a point on the north line of Section 35, Township 16 South, Range 2 West; thence west along the north line of said section to the southwest corner of the southeast quarter of Section 26, Township 16 South, Range 2 West; thence West along the south line of the southeast quarter of the southwest quarter of Section 26, Township 16 South, Range 2 West, to the northwest corner of Block 7, Boulevard Addition as recorded in Map Book 6, Page 36, in the office of the Judge of Probate of Jefferson County, Alabama; thence southwesterly along the west line of Blocks 7, 6, 5, 2, and 1, of Boulevard Addition to the east line of the northwest quarter of the northwest quarter of Section 35, Township 16 South, Range 2 West; thence north along the east line of the said quarter-quarter section a distance of 545

feet; thence northwest 1380 feet more or less along the south line of the property of the Water Works Board of the City of Birmingham to the west line of the northwest quarter of the northwest quarter of Section 35, Township 16 South, Range 2 West; thence south along the west line of the said quarter-quarter section a distance of 920 feet, more or less, to the southwest corner of the northwest quarter of the northwest quarter of said section; thence west along the south line of the northeast quarter of the northeast quarter of Section 34, Township 16 South, Range 2 West, to the southwest corner of said quarter-quarter section; thence north along the west line of the northeast quarter of the northeast quarter for a distance of 326 feet, more or less, to the south line of the property of the Water Works Board of the City of Birmingham; thence northwesterly along the southwest line of the property of the Water Works Board of the City of Birmingham a distance of 926 feet, more or less; thence west along the south line of said Water Works Board property a distance of 710 feet, more or less, to the west line of the northwest quarter of the northeast quarter of Section 34, Township 16 South, Range 2 West; thence continue west along the south line of the property of the Water Works Board of the City of Birmingham a distance of 800 feet, more or less; thence south a distance of 230 feet, more or less; thence southeast along the property line of the Water Works Board of the City of Birmingham a distance of 1100 feet, more or less, to the west line of the northeast quarter of Section 34, Township 16 South, Range 2 West; thence south along the west line of said quarter section to the southwest corner of the northeast quarter of said section; thence west along the south line of the northwest quarter of Section 34, Township 16 South, Range 2 West to the west line of said section; thence north along the west line of Section 34, Township 16 South, Range 2 West, and the west line of Section 27, Township 16 South, Range 2 West to the northwest corner of the property of the Water Works Board of the City of Birmingham; thence northeasterly along the northwestern line of the property of the Water Works Board of the City of Birmingham a distance of 1350 feet, more or less, to the west line of the northeast quarter of the southwest quarter of Section 27, Township 16 South, Range 2 West; thence north along the west line of the said quarter-quarter section and the west line of the southeast quarter of the northwest quarter of Section 27, Township 16 South, Range 2 West, to a point 617 feet north of the southwest corner of said southeast quarter of the northwest quarter; thence northwest 420.69 feet to the southeast line of the Pinson Highway; thence northeast along the said southeast line of the Pinson Highway to the south line of Blach's Road, in the southeast quarter of the northwest quarter of Section 14, Township 16 South, Range 2 West; thence in an easterly direction along the meandering south line of Blach's Road to the northeast corner of the northwest quarter of the southeast quarter of Section 14, Township 16 South, Range 2 West; thence north along the west line of the southeast quarter of the northeast quarter to the northwest corner of said quarter-quarter section; thence north along the west line of the northeast quarter of the northeast quarter a distance of 335 feet, more or less, to the southwest line of Lot 23, Greenfield Village as recorded in Map Book 36, Page 28, in the office of the Judge of Probate of Jefferson County, Alabama; thence northwest along the southwest lines of Lots 23 and 22 of said Greenfield Village to the southeastern line of the Pinson Highway; thence northeast along the southeastern line of the Pinson Highway to the south line of Section 1, Township 16 South, Range 2 West; thence east along the said south line of said section to the southwest corner of the southeast quarter of said section; thence north along the west line of the southeast quarter a distance of 556 feet; thence east for a distance of 278 feet; thence south a distance of 100 feet; thence east a distance of 430 feet; thence south for a distance of 456 feet to the south line of Section 1, Township 16 South,

Range 2 West; thence east along the south line of said section to the southwest corner of Section 6, Township 16 South, Range 1 West; thence north along the west line of said section to the northwest corner of the southwest quarter of the southwest quarter of Section 6, Township 16 South, Range 1 West; thence east along the nort line of said quarter-quarter section a distance of 660 feet; thence south parallel with said west line of the southwest quarter of the southwest quarter a distance of 1320 feet to the north line of Section 7, Township 16 South, Range 1 West; thence east along the north line of said section to the northeast corner of the northwest quarter of the northeast quarter of Section 7, Township 16 South, Range 1 West; thence south along the east line of the said quarter-quarter section to the southeast corner of the northwest quarter of the northeast quarter of Section 7, Township 16 South, Range 1 West; thence west along the south line of the northwest quarter of the northeast quarter and the south line of the northeast quarter of the northwest quarter and the south line of the northwest quarter of the northwest quarter of said Section 7, Township 16 South, Range 1 West, and the south line of the northeast quarter of the northeast quarter and the south line of the northwest quarter of the northeast quarter of Section 12, Township 16 South, Range 2 West, to the northeast corner of the southeast quarter of the northwest quarter of said section; thence south along the east line of the southeast quarter of the northwest quarter to the southeast corner of the southeast quarter of the northwest quarter of Section 12, Township 16 South, Range 2 West; thence west along the south line of the northwest quarter of said section to the northeast corner of the northwest quarter of the southwest quarter; thence south along the east line of said quarter-quarter section to the southwest corner of the northeast quarter of the southwest quarter; thence east along the north line of the southeast quarter of the southwest quarter of Section 12, Township 16 South, Range 2 West, to the northeast corner of the southeast quarter of the southwest quarter; thence south along the east line of said quarter-quarter section to the southeast corner of the southwest quarter of Section 12, Township 16 South, Range 2 West; thence south along the east line of the northeast quarter of the northwest quarter of Section 13, Township 16 South, Range 2 West, to the southeast corner of said quarter-quarter section; thence west along the south line of the northeast quarter of the northwest quarter to the northeast corner of the southwest quarter of the northwest quarter of said section; thence south along the east line of said quarter-quarter section and south along the east line of the northwest quarter of the southwest quarter of Section 13, Township 16 South, Range 2 West, to the northwest corner of the southeast quarter of the southwest quarter of the said section; thence east along the north line of said quarter-quarter section to the northeast corner of the southeast quarter of the southwest quarter of Section 13, Township 16 South, Range 2 West; thence south along the east line of said quarter-quarter section to the southeast corner of the southwest quarter of said section; thence west along the south line of the southwest quarter of Section 13, Township 16 South, Range 2 West, to the northeast corner of Section 23, Township 16 South, Range 2 West; thence south along the east line of said section to the northwest corner of the southwest quarter of the northwest quarter of Section 24, Township 16 South, Range 2 West; thence east along the north line of the said quarter-quarter section a distance of 430 feet; thence south 600 feet; thence in a southwesterly direction a distance of 130 feet; thence west to the west line of the southwest quarter of the northwest quarter of Section 24, Township 16 South, Range 2 West; thence south along the west line of said quarter-quarter section to the northwest corner of the northwest quarter of the southwest quarter; thence east along the north line of the said quarter-quarter section a distance of 660 feet; thence south 1320 feet along the east line of the

west one-half of said quarter-quarter section to the north line of the southwest quarter of the southwest quarter; thence east along the north line of said quarter-quarter section to the northeast corner of the southwest quarter of the southwest quarter of Section 24, Township 16 South, Range 2 West; thence north along the west line of the northeast quarter of the southwest quarter of said section a distance of 1165 feet; thence east parallel with the north line of said quarter-quarter section a distance of 1111.4 feet, more or less; thence south a distance of 43.7 feet; thence east a distance of 208.7 feet, more or less, to the east line of the southwest quarter of Section 24, Township 16 South, Range 2 West; thence south along the east line of said quarter section a distance of 1722 feet, more or less; thence west a distance of 418 feet; thence south a distance of 209.0 feet; thence west a distance of 905 feet, more or less; thence south a distance of 500 feet more or less to the south line of Section 24, Township 16 South, Range 2 West; thence west along the south line of said section to the southwest corner of Section 24, Township 16 South, Range 2 West; thence north along the west line of the said section a distance of 451 feet; thence east a distance of 209 feet; thence north a distance of 418 feet; thence west a distance of 209 feet to the west line of Section 24, Township 16 South, Range 2 West; thence north along the west line of the said section to the northeast corner of the southeast quarter of the southeast quarter of Section 23, Township 16 South, Range 2 West; thence west along the north line of said quarter-quarter section a distance of 658.63 feet; thence north a distance of 664.14 feet; thence west to the west line of the northeast quarter of the southeast quarter of Section 23, Township 16 South, Range 2 West; thence north along the west line of the said quarter-quarter section to the northwest corner of the northeast quarter of the southeast quarter of said section; thence east along the north line of said quarter-quarter section a distance of 660.48 feet; thence north a distance of 1328 feet, more or less, to the south line of the northeast quarter of the northeast quarter of Section 23, Township 16, South, Range 2 West; thence west along the south line of said quarter-quarter section and the south line of the northwest quarter of the northeast quarter of Section 23, Township 16 South, Range 2 West, to the northeast corner of the southeast quarter of the northwest quarter; thence south along the east line of the said quarter-quarter section and the east line of the southwest quarter of Section 23, Township 16 South, Range 2 West and the east line of the northwest quarter and the east line of the southwest quarter of Section 26, Township 16 South, Range 2 West, to the south line of Clift Avenue if extended; thence east along the south line of Cliff Avenue to the east line of the southwest quarter of the southeast quarter of Section 26, Township 16 South, Range 2 West; thence south along the east line of the said quarter-quarter section to the north line of Section 35, Township 16 South, Range 2 West, which is in the present city limit line of the City of Birmingham; thence west along the present city limit line of the City of Birmingham to the point of beginning; excepting from the above description the east 1000 feet of the northeast quarter of the southeast quarter of Section 14, Township 16 South, Range 2 West.

Section 2. That this act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JEFFERSON, ss:

On this 22 day of October A. D. one thousand nine hundred and Fifty-Nine personally appeared before me, J. L. Roberts a Notary Pub-

lic in and for the County and State aforesaid Raymond Fowler who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham News" on the following dates; Oct. 1, 1959; Oct. 8, 1959; Oct. 15, 1959; Oct. 22, 1959.

RAYMOND FOWLER.

Subscribed and sworn to before me this 22 day of Oct. A. D. 1959.

J. L. ROBERTS,
Notary Public.

My Commission Expires Feb. 28, 1960.

Also:

By Messrs. Hanby and Copeland:

H. 1071. To amend Act No. 737, S. 548, approved September 20, 1957, an act providing for the operation of the county board of equalization of each county having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census (Acts of Alabama 1957, Vol. II, pp. 1158, 1159).

Also:

By Mr. Turner:

H. 1075. To amend Sections 1, 2, 4, and 6 of Act No. 68 adopted at the 1957 Regular Session of the Legislature of Alabama so that the scope of the license taxes levied in Limestone County by said Act No. 68 and the exemptions and other provisions applicable to said license taxes shall parallel, although at the rates herein specified, the scope of the state sales and use taxes levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and by Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said state sales and use taxes; so as to make subject to said license taxes, at the rates herein specified, the sale, use, storage and consumption of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding and manufacturing tangible personal property; and so as to increase the rate of said license taxes with respect to sale use, storage or consumption of automotive vehicles, truck trailers and semi-trailers.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION
TO APPLY
FOR PASSAGE OF LOCAL ACT

Notice is hereby given that application will be made to the Legislature of Alabama for passage of a local bill reading substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1, 2, 4, and 6 of Act No. 68 adopted at the 1957 Regular Session of the Legislature of Alabama so that the scope of the license taxes levied in Limestone County by said Act No. 68 and the exemptions and other provisions applicable to said license taxes shall parallel, although at the rates herein specified, the scope of the state sales and use taxes levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and by Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said state sales and use taxes; so as to make subject to said license taxes, at the rates herein specified, the sale, use, storage and consumption of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding and manufacturing tangible personal property; and so as to increase the rate of said license taxes with respect to sale, use, storage or consumption of automotive vehicles, truck trailers and semi-trailers.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 68 adopted at the 1957 Regular Session of the Legislature of Alabama is hereby amended to read as follows:

"Section 1. In Limestone County there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, special county privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Act No. 100 adopted at the 1959 Second special Session of the Legislature of Alabama and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as said article had been last amended on September 1, 1959, and as it existed on said date, in an amount equal to thirty-three and one-third per cent of the state levy, as follows:

"(1) A privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against the gross sales, or gross receipts, as the case may be, as follows:

"(a) Upon every person, firm or corporation (including the State of Alabama, the University of Alabama, Alabama Polytechnic Institute and all other institutions of higher learning in the state, whether such institutions be denominational state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged, or continuing within Limestone County in business of selling at retail any tangible personal property wratsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business.

(b) Upon every person, firm or corporation engaged, or continuing within Limestone County, in the business of conducting or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, mov-

ing picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within the county, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county or city school or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description with Limestone County, an amount equal to one per cent of the gross receipts of any such business.

"(c) Upon every person, firm or corporation engaged or continuing within Limestone County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in operation of such machines, and which are necessary to the operation of such machines and are customarily so used, an amount equal to one half of one percent of the gross proceeds of such machines, attachments, parts and replacements therefor.

"(d) Upon every person, firm or corporation engaged or continuing within Limestone County in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of such automotive vehicle, truck trailer and semi-trailer.

"Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

"(2) (a) An excise tax on the storage, use or other consumption in Limestone County of tangible personal property purchased at retail on or after December 1, 1959, for storage, use, or other consumption in the county at the rate of one per cent of the sales price of such property, regardless of whether the retailer is or is not engaged in the business in the county, except as provided below in paragraphs (b) and (c) of this subsection.

"(b) An excise tax on the storage, use or other consumption in Limestone County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machine, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machine, purchased at retail on or after December 1, 1959, for storage, use or other consumption in Limestone County, at the rate of one-half of one per cent of the sales price of such machine or the parts, attachments, or replacements therefor.

"(c) An excise tax on the storage, use, or other consumption in Limestone County of any automotive vehicle, truck trailer or semi-trailer purchased at retail on or after December 1, 1959, for storage, use or other consumption in Limestone County at the rate of one-half of one per cent of the sales price of such automotive vehicle, truck trailer, or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a

credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

"Every person storing, using or otherwise consuming in Limestone County tangible personal property purchased at retail after December 1, 1959, shall be liable for the tax, and the liability shall not be extinguished until the tax has been paid as provided for by this Act; provided, however, that a receipt from a retailer maintaining a place of business in Limestone County showing the payment of such tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer."

Section 2. Section 2 of Act No. 68 adopted at the 1957 Regular Session of the Legislature of Alabama is hereby amended to read as follows:

"Section 2. The taxes provided for in Section 1 of this Act shall be subject to all definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions as are applicable to the state sales and use taxes levied under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as said article had been last amended on September 1, 1959, and as it existed on said date, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection of the taxes."

Section 3. Section 4 of Act No. 68 adopted at the 1957 Regular Session of the Legislature of Alabama is hereby amended to read as follows:

"Section 4. The taxes imposed by this Act shall be collected by the State Department of Revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as said article had been last amended on September 1, 1959, and as it existed on said date, and all reports now required to be made to the Commissioners of Revenue of the State of Alabama shall, on request of the Department of Revenue, be available for inspection by the chairman of the county governing body of Limestone County, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as said article had been last amended on September 1, 1959, and as it existed on said date. It shall be the duty of the Commissioner of Revenue to pay into the State Treasury all collections of taxes made hereunder, and on or before the first day of the following month the Commissioner of Revenue shall certify to the State Comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Limestone County during the calendar month immediately preceding the making of such certificate to the State Treasurer; where-

upon it shall be the duty of the State Comptroller to issue his warrant on the State Treasury, payable to the custodian of the county school funds of Limestone County for the amount so certified by the Commissioner of Revenue as having been collected for the use and benefit of Limestone County and paid into the State Treasury. The State Department of Revenue shall charge Limestone County for collecting the taxes levied by this Act a percentage of the taxes to be computed on the basis that the total cost of collecting the State's sales and use taxes bears to the total of state sales and use taxes collected for each fiscal year ending September 30th. Such charge for collecting such taxes shall be deducted once each year from the special sales and special use taxes collected in the month of September of each year before certifying the amount of special sales and special use taxes due Limestone County for such month."

Section 4. Section 6 of Act No. 68 adopted at the 1957 Regular Session of the Legislature of Alabama is hereby amended to read as follows:

"Section 6. The taxes levied by this Act shall be due and collectible at the same times and manner as the state sales and use taxes, and as set out in Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as said article had been last amended on September 1, 1959, and as it existed on said date, and all of the methods and provisions given to the State of Alabama as to the collection of such taxes under the provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as said article had been last amended on September 1, 1959, and as it existed on said date, are given hereby to Limestone County, and to the State Department of Revenue for Limestone County's use, as to the taxes levied by this Act."

Section 5. The provisions of this act are severable. In the event any section, clause, portion, provision or sentence hereof should be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any of the remaining sections, clauses, portions, provisions or sentences hereof.

Section 6. This act shall become effective on December 1, 1959.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 1, Oct. 8, Oct. 15, and Oct. 22, all in the year 1959.

STEELE McGREW.

Sworn to and subscribed before me Oct. 22, 1959.

LOLA L. ORR,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1065, 1066, 1067, 1069, 1076, 1077, 1081, 1072, 1071, and 1075 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Adams (Houston), Solomon and Chambers:

H. 1026. To further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures and facilities for use by or in the Office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said Circuit.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

A bill to be entitled an act to further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures, and facilities for use by or in the office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1: All Solicitors' fees imposed by the Circuit Court and hereafter collected in the Twentieth Judicial Circuit of Alabama, under the provisions of Section 85 of Title 11, Code of Alabama, 1940, as amended, shall be paid into the County Treasury of the County where the fee is imposed to be used and expended as provided in Section Two hereof.

Section 2: The Circuit Solicitor and the Circuit Judge of the Twentieth Judicial Circuit are hereby authorized to requisition expenditures against said fund of the respective Counties composing said Circuit for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in the Court House of each County in said Circuit, and also for supplies, books, fixtures and facilities for use by or in the office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said circuit.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 4: All laws and parts of laws in conflict herewith are hereby repealed.

Section 5: This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carl W. Coggins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Manager of the The Houston Herald, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 25, Oct. 2, Oct. 9, and Oct. 16, all in the year 1959.

CARL W. GOGGINS.

Sworn to and subscribed before me October 16, 1959.

JAMES L. ACREE,
Notary Public.

(Commission expires 11-3-61).

A BILL
TO BE ENTITLED
AN ACT

A bill to entitle an act to further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures and facilities for use by or in the Office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1: All Solicitors' fees imposed by the Circuit Court and hereafter collected in the Twentieth Judicial Circuit of Alabama, under the provisions of Section 85 of Title II, Code of Alabama, 1940, as amended, shall be paid into the County Treasury of the County where the fee is imposed to be used and expended as provided in Section Two hereof. Section 2: The Circuit Solicitor and the Circuit Judge of the Twentieth Judicial Circuit are hereby authorized to requisition expenditures against said fund of the respective Counties composing said Circuit for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in the Court House of each County in said Circuit; and also for supplies, books, fixtures and facilities for use by or in the office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said circuit.

Section 3: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 4: All laws and parts of laws in conflict herewith are hereby repealed.

Section 5: This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
HENRY COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared J. Edward Dodd, who is known to me and who, being by me first duly sworn, deposes and says: that he is publisher of the Abbeville Herald, a newspaper published at Abbeville, in Henry County, Alabama, and that a copy of the attached advertisement appeared once a week for four (4) successive weeks, on the following dates: Sept. 24, Oct. 1, 8 and 15, 1959 in the Abbeville Herald which said Abbeville Herald has general circulation in the County in which is it published, and has been under the second class mailing privileges of the United State Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. EDWARD DODD.

Sworn to and subscribed before me on this 20 day of October, 1959.

FORREST L. CULOW,
Notary Public.

Also:

By Mr. Turner.

H. 1027. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff

of Limestone County and providing for the appointment of deputies and assistants, as amended, is amended further to read as follows:

"Section 3. The sheriff may appoint a chief deputy and two other deputies and two jailers, whose salaries shall be fixed by the sheriff. The jailers shall be appointed to serve as jailers or bailiffs and shall not be engaged in law enforcement work. The chief deputy shall receive a salary of not less than one thousand eight hundred dollars ($1,800) nor more than three thousand six hundred dollars ($3,600) per annum. Each of the other deputies and the jailers shall receive a salary of not less than one thousand five hundred dollars ($1,500) nor more than three thousand three hundred dollars ($3,300) per annum. The sheriff may also appoint a clerk, who shall be employed three working days each week, and shall receive a salary of two thousand one hundred dollars ($2,100) per annum. All of the salaries provided for herein shall be paid by the county in equal monthly installments as salaries of other county employees are paid."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 29, Oct. 6, Oct. 13, and Oct. 20, all in the year 1959.

STEELE McGREW.

Sworn to and subscribed before me Oct. 20, 1959.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Turner:

H. 1028. To amend Section 1 of Act No. 10, S. 3, approved July 19, 1950 (Acts 1950-1951, Vol. I, p. 27), an act relating to the compensation and duties of the superintendent of education of Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 10, S. 3, approved July 19, 1950 (Acts 1950-1951, Vol. I, p. 27), an act relating to the compensation and duties of the superintendent of education of Limestone County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 10, S. 3, approved July 19, 1950 (Acts 1950-1951, Vol. I, p. 27), an act relating to the compensation and duties of the superintendent of education of Limestone County, is hereby amended to read as follows:

"Section 1. The incumbent Superintendent of Education of Limestone County, Alabama, in addition to the duties imposed under the general laws of Alabama shall begin immediately to administer the Veterans Training Program of Limestone County, begin immediately to administer and direct the School Lunch Program of such County, and also begin immediately to act as Secretary and Adviser to the Limestone County Board of Education during all its regular and special meetings. For the performance of the extra, new and additional duties imposed on him, and for his regular duties, the annual salary of the incumbent Superintendent of Education of Limestone County, to be paid in equal monthly installment, shall be as follows: When the tax assessor's records show that the gross assessed valuation of such property for the tax year ending on the thirtieth day of September of any year was less than eleven million dollars ($11,000,000) the salary of the superintendent for the year beginning on the first day of the next January shall be three thousand six hundred dollars ($3,600); when these records show the gross assessed valuation is eleven million dollars ($11,000,000) or more but less than eleven million two hundred and fifty thousand dollars ($11,250,000) the salary of the superintendent for the year beginning on the first day of the next January shall be three thousand eight hundred dollars ($3,800); when these records show the gross assessed valuation is eleven million two hundred fifty thousand dollars ($11,250,000) or more but less than eleven million five hundred thousand dollars ($11,500,000) the salary of the superintendent for the year beginning on the first day of the next January shall be four thousand dollars ($4,000); when these records show the gross assessed valuation is eleven million five hundred thousand dollars ($11,500,000) or more but less than twelve million dollars ($12,000,000) the salary of the superintendent for the year beginning on the first day of the next January shall be four thousand two hundred ($4,200); when these records show the gross assessed valuation is twelve million dollars ($12,000,00) or more but less than twelve million five hundred thousand dollars ($12,500,000) the salary of the superintendent for the year beginning on the first day of the next January shall be four thousand eight hundred dollars ($4,800); when these records show the gross assessed valuation is twelve million five hundred thousand dollars ($12,500,000) or more but less than thirteen million dollars ($13,000,000) the salary of the superintendent for the year beginning on the first day of the next January shall be five thousand four hundred dollars ($5,400); when these records show the gross assessed valuation is thirteen million dollars ($13,000,000) or more but less than thirteen million five hundred thousand dollars ($13,500,000) the salary of the superintendent for the year beginning on the first day of the next January shall be six thousand dollars ($6,000); when these records show the gross assessed valuation is thirteen million five hundred thousand dollars ($13,500,000) or more but less than fourteen million dollars ($14,000,000) the salary of the superintendent for the year beginning on the first day of the next January shall be six thousand five hundred dollars ($6,500); and when these records show the gross assessed valuation is fourteen million dollars ($14,000,000) or more the annual salary of the superin-

tendent for the succeeding calendar years shall be seven thousand dollars ($7,000). In the event any principal of a school under the supervision and control of said superintendent of education receives a sum equal to or greater than the salary hereinabove provided, then and in that event, the Board of Education of Limestone County may immediately increase the salary of said superintendent of education to a sum greater than said principal's salary. In addition to his salary, the superintendent shall receive an allowance for expenses of one thousand two hundred dollars ($1,200) per annum."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 29, Oct. 6, Oct. 13, and Oct. 20, all in the year 1959.

STEELE McGREW.

Sworn to and subscribed before me Oct. 20, 1959.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Turner:
H. 1029. To amend further Section 3 of Act No. 199, H. 603, approved July 24, 1947 (Local Acts 1947, p. 113), an act to create and establish in Limestone County a court known as "The Limestone County Court", in relation to the compensation of the judge of the court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 3 of Act. No. 199, H. 603, approved July 24, 1947 (Local Acts 1947, p. 113), an act to create and establish in Limestone County a court known as "The Limestone County Court", in relation to the compensation of the judge of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 199, H. 603, approved July 24, 1947 (Local Acts 1947, p. 113), an act to create and establish "The Limestone County Court," as amended, is amended further to read as follows:

"Section 3. Judge. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1948, and at the general election each four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. (b) The first judge of the court shall be the person holding office as judge of the court abolished by this Act, and he shall hold office until his successor is elected or appointed and assumes office as provided herein. (c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution of Alabama. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner prescribed by law. No person shall be eligible to the office of judge unless he is at the time of his appointment or election a qualified elector of Limestone County, learned in the law and admitted to the practice of law by the Supreme Court of Alabama, for a period of at least three years prior to such election or appointment, and over the age of twenty-five years. The judge shall not engage in the practice of law during his term of office; and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution. (d) the judge shall receive an annual salary, payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid, which shall be governed by the gross assessed valuation of property, real and personal, tangible and intangible, in Limestone County, as shown by the records of the Tax Assessor of Limestone County, as follows: When the tax assessor's record show that the gross assessed valuation of such property for the tax year ending on the thirtieth day of September of any year was less than eleven million dollars ($11,000,000) the salary of the judge for the year beginning on the first day of the next January shall be three thousand six hundred dollars ($3,600); when these records show the gross assessed valuation is eleven million dollars ($11,000,000) or more but less than eleven million two hundred and fifty thousand dollars ($11,250,000) the salary of the judge for the year beginning on the first day of the next January shall be three thousand eight hundred dollars ($3,800); when these records show the gross assessed valuation is eleven million two hundred fifty thousand dollars ($11,250,000) or more but less than eleven million five hundred thousand dollars ($11,500,000) the salary of the judge for the year beginning on the first day of the next January shall be four thousand dollars ($4,000) when these records show the gross assessed valuation is eleven million five hundred thousand dollars ($11,500,000) or more but less than twelve million dollars ($12,000,000) the salary of the judge for the year beginning on the first day of the next January shall be four thousand two hundred dollars ($4,200); when these records show the gross assessed valuation is twelve million dollars ($12,000,000) or more but less than twelve million five hundred thousand dollars ($12,500,000) the salary of the judge for the year beginning on the first day of the next January shall be four thousand eight hundred dollars ($4,800); when these records show the gross assessed valuation is twelve million five hundred thousand dollars ($12,500,000) or more but less than thirteen million dollars ($13,000,000) the salary of the judge for the year beginning on the first day of the next January shall be five thousand four hundred dollars ($5,400); when these records show

the gross assessed valuation is thirteen million dollars ($13,000,000) or more but less than thirteen million five hundred thousand dollars ($13,-500,000) the salary of the judge for the year beginning on the first day of the next January shall be six thousand dollars ($6,000); when these records show the gross assessed valuation is thirteen million five hundred thousand dollars ($13,500,000) or more but less than fourteen million dollars ($14,000,000) the salary of the judge for the year beginning on the first day of the next January shall be six thousand five hundred dollars ($6,500); and when these records show the gross assessed valuation is fourteen million dollars ($14,000,000) or more the annual salary of the judge for the succeeding calendar years shall be seven thousand dollars ($7,000).

(e) The judge shall have authority to: 1) grant writs of habeas corpus, certiorari, superseadeas, quo warranto, mandamus, and all other remedial and original writs which are grantable by the circuit judges; 2) grant writs of injunction and ne exeat; 3) administer oaths and take acknowledgments; 4) exercise such other powers, jurisdiction or authority as may be conferred by law upon circuit judges, judges of juvenile or county courts, and justices of the peace, except as otherwise provided herein. (f) The judge shall keep an office in the county courthouse. His office shall be suitably equipped, furnished and provided, at the expense of the county, with such office supplies and stationery, stamps, furniture, fixtures, telephone and other facilities as may be necessary for the transaction of the business of the court. (g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided by Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code, who shall be paid five dollars for each day or fraction thereof that he serves, out of the general fund of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 29, Oct. 6, Oct. 13, and Oct. 20, all in the year 1959.

STEELE McGREW.

Sworn to and subscribed before me Oct. 20, 1959.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Roberts:

H. 1030. To levy in Madison County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption

in such county of cigarettes; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes; to provide that the tax shall be in addition to all other taxes now levied by law except license or privilege taxes levied on the sale of cigarettes by the municipalities in such county, which are hereby repealed; to require the affixing of stamps to the packages of cigarettes to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama that a bill for a local law will be introduced in the current session of the Legislature affecting Madison County, the substance of which is as follows and application for the enactment of such local law will be made, to-wit:

To levy a license tax on persons and others engaged in selling cigarettes in said county, the said tax to be measured by the volume of sales of such persons and others: also levying an excise tax on the storage, use or other consumption in said county of cigarettes purchased for use, storage or other consumption in said county; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this Act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Article 9 of Chapter 20, Title 51, Code of Alabama, as amended, which is the state tobacco tax law; providing the commissioner of revenue and the state department of revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Article 9, as amended; providing for the collection of said excise tax by wholsale dealers and jobbers and retailers; providing that the said license tax shall be added to the sales price and passed on to the purchaser or person paying the purchase price of cigarettes; providing for the purchase of revenue stamps and for a discount to persons subject to said tax; providing for the use of the revenues from said taxes; also, repealing all municipal ordinances levying municipal license or excise taxes on persons and others engaged in selling cigarettes within the county based on the sale of cigarettes, or the storage, use or consumption of cigarettes within the county.

STATE OF ALABAMA
MADISON COUNTY

Before me, W. C. Lewis, a Notary Public in and for said State and County, personally appeared R. M. Buchanan, known to me, who being

by me first duly sworn, deposes and says he is General Manager of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on September 28, October 5, 12, and 19, 1959.

R. M. BUCHANAN
General Manager

Sworn to and subscribed before me this the 20 day of October, 1959.

WILLIAM C. LEWIS
Notary Public

My commission expires October 22, 1960.

OAKLEY MELTON, JR.,
Clerk

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1026, 1027, 1028, 1029 and 1030 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Brannan:

H. 1011. To amend Section 2 as amended of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of office of the sheriff appointing such deputy, approved May 28, 1931, reported, Local Acts Alabama 1931, pages 83-84.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

AN ACT

To amend Section 2 as amended of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of office of the sheriff appointing such deputy, approved May 28, 1931, reported, Local Acts Alabama 1931, pages 83-84.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of an act, entitled an act, in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund and including the salary of the deputy by this act payable out of such fund, to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accuring in any succeeding year or years only during the term of the office of the Sheriff appointing such deputy, approved May 28, 1931 reported, Local Acts Alabama, 1931, pages 83-84, be amended to read as follows:

"Section 2. That any surplus now in or that hereafter accumlates in the Fine and Forfeiture Fund of Baldwin County, after the payments of all other claims and demands now or hereafter chargeable against such fund, not less than $7,200.00 and not more than $14,400.00 a year is hereby appropriated to the payment of the salaries of deputy sheriffs not to exceed three in addition to and other than the deputy sheriff whose salary is paid out of the general fund of Baldwin County, such additional deputy sheriff's salaries to be paid in monthly installments of not less than $200.00 and not more than $400.00 to each deputy. The amount to be fixed by the county commissioners of Baldwin County; provided that if during any calendar year the surplus of such Fine and

Forfeiture Fund shall not be sufficient to pay the salaries of such deputy sheriffs, any surplus thereafter accumulating in said fund in the succeeding year or years shall be applied to any deficiency in such salaries for the previous calendar year or years, but only for the term to which the sheriff appointing such deputies is elected or appointed, and that no deficiency in such Fine and Forfeiture Fund accruing under any sheriff's administration shall be chargeable against any surplus of such fund accumulating subsequent to the term of such sheriff in whose administration such deficiency occurs. The deputy's salaries herein provided for shall be paid by warrant drawn on such fund in the same manner as other claims or paid out of the said fund."

Section 2. That all laws or parts of laws, general, local, or special in conflict herewith are repealed.

Section 3. This act shall go into effect immediately upon passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

E. R. Morrissette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of An Act was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Aug. 27, 1959 Vol. 71 No. 33

Date of 2nd publication Sept. 3, 1959 Vol. 71 No. 34

Date of 3rd publication Sept. 10, 1959 Vol. 71 No. 35

Date of 4th publication Sept. 17, 1959 Vol. 71 No. 36

Subscribed and sworn before the undersigned this 14th day of Oct., 1959.

DOROTHY MARTIN
Notary Public, Baldwin County.

E. R. MORRISSETTE, JR.
Editor.

Also:

By Mr. Oden:

H. 1003. To levy additional county privilege license and excise taxes for public school purposes in Franklin County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 216, H. 397, approved August 8, 1955 (Acts 1955, vol. I, pp. 523-525).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FRANKLIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To levy additional county privilege license and excise taxes for public school purposes in Franklin County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 216, H. 397, approved August 8, 1955 (Acts 1955, vol. 1, pp. 523-525).

Be It Enacted by the Legislature of Alabama:

Section 1. All words, terms, and phrases that are defined in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, which levies a state sales tax, and in Article 11, Chapter 20, Code of Alabama 1940, as amended, shall, where used in this Act, have the meanings respectively ascribed to them in said Act No. 100 of August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words, terms, and phases where used in this Act shall have the following respective meanings except where the context clearly indicates a different meaning:

"State sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, enacted at the Special Session of the Legislature of Alabama that convened June 24, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendment to said Act No. 100, heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said act and the incidence and collection of the tax imposed therein;

"State sales tax" means the tax imposed by the state sales tax statutes;

"State use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein;

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. Effective on the first day of the month succeeding the month during which this Act becomes a law, there is hereby levied in Franklin County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

1. Upon every person, firm, or corporation engaged or continuing within Franklin County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt of stocks), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within Franklin County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Franklin County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within Franklin County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily so used, an amount equal to one-half of one percent of the gross proceeds of the sale of such machines, attachments, parts and replacements therefor.

4. Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-half of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer. Provided, that where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment of the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

There are exempted, however, from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the state sales tax statutes from the computation of the amount of the state sales tax.

Section 3. An excise tax is hereby imposed on —

(a) The storage, use, or other consumption in Franklin County of tangible personal property purchased at retail, on or after the first day of the month next succeeding the month during which this Act shall become a law, for storage, use or other consumption in Franklin County, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Franklin County or in this state, except as provided in subsections (b) and (c) of this section; and

(b) The storage, use, or other consumption in Franklin County of any new or used automotive vehicle, truck trailer or semi-trailer purchased at retail o nor after the first day of the month next succeeding the month during which this Act becomes a law, for storage, use, or other consumption in Franklin County, at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the difference of the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

(c) The storage, use, or other consumption in Franklin County of any machine used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail on or after the first day of the month next succeeding the month during which this Act becomes a law, for storage, use, or other consumption in Franklin County, at the rate of one-half of one percent of the sales price of such machine or the parts, attachments, or replacements therefor.

There are exempted, however, from the provisions of this section and the tax imposed in this section the storage, use, or other consumption of property the storage, use, or other consumption of which is presently exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Franklin County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid by such person as herein provided; provided, however, that a receipt

from a registered seller given pursuant to Section 5 of this Act to the purchaser of any property to be used, stored, or consumed in Franklin County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer,

Section 4. The taxes levied in Section 2 of this Act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the taxes levied in Section 3 of this Act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes herein levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are provided in Section 2 hereof to be used as a measurement of the tax levied in said Section 2, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 3 hereof, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 3 during the then preceding quarterly period; provided, however, that said report shall include also such other items of information pertinent to the said taxes in the amount thereof as the state department of revenue may require. Any person subject to the taxes levied in Section 2 hereof may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceeding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Franklin County, or its designated agent, at reasonable times during business hours.

Section 5. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Franklin County (which storage, use, or other consumption is not herein exempted from the tax imposed in Section 3 hereof) shall at the time of making such sale or, if the storage, use, or other consumption of such tangible personal property in Franklin County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax imposed by Section 2 of this Act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales of the tangible personal property sold by such registered seller, the storage, use or other consumption of which became subject to the tax imposed by Section 3 of this Act during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and

may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall omit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Franklin County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property the storage, use, or other consumption of which is subject to the tax imposed by Section 3 of this Act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4.

Section 6. Each person engaging or continuing within Franklin County in a business subject to the taxes levied in Section 2 of this Act shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes levied in said Section 2; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 5 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2 to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 3 of this Act or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 7. The taxes imposed by this Act shall constitute a debt due Franklin County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All of the provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due this state shall apply fully to the collection of the taxes herein levied, and the state department of revenue, for the use and benefit of Franklin County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the state use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes levied by this Act, and to otherwise enforce the provisions of this Act, including any litigation involving this Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Franklin County.

Section 8. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of monthly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state sales tax statutes, the

promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 2 hereof, shall apply to the tax levied in the said Section 2; and all provisions of the state use tax statutes with respect to payment, assessment and collection of the State use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 3 hereof, shall apply to the tax levied in the said Section 3. The commissioner of revenue and the state department of revenue shall have and exercise all of the same powers, duties and obligations with respect to the taxes levied in Section 2 and 3 hereof that are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable in this Act to the taxes herein levied and to the administration of this Act are hereby incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 9. The state department of revenue shall charge Franklin County for collecting said special taxes herein levied a percentage of said taxes to be computed on the basis that the total cost of collecting the state sales and use taxes bears to the total of said state taxes collected for each fiscal year. A proportionate part of such charge may be deducted once each month from the special sales and use taxes collected before certifying the amount of special taxes due Franklin County. The commissioner of revenue shall pay into the state treasury all taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Franklin County during the month immediately preceding the making of such certificate: Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Franklin County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Franklin County, in his official capacity, in an amount equal to three-fourths of the amount so certified by the commissioner of revenue as having been collected for the use of Franklin County, and the remainder shall be paid to the custodian of the public school funds of the City of Russellville.

Section 10. All revenue arising from the taxes herein levied shall be used exclusively for public school purposes within Franklin County.

Section 11. This Act supersedes Act. No. 216, H. 397, approved August 8, 1955 (Acts 1955, vol. I, pp. 523-525); provided, that rights and duties that matured, penalties that were incurred, and proceedings that were begun under said Act No. 216 before the effective date of this Act shall not be affected by this Act.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. This Act shall become effective on the first day of the month succeeding the month during which the Act shall be approved by the Governor or shall otherwise become a law.

STATE OF ALABAMA,
FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin Co. Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin Co. Times for 4 consecutive weekly issues beginning with the issue of Sept. 17, 1959 and ending with the issue of Oct. 8, 1959.

CLAUDE E. SPARKS.

Subscribed and sworn to before me, this the 19 day of October, 1959 at Russellville, Alabama.

RUTH B. LEOPARD,
Notary Public.

My commission expires 7-29-61.

Also:

By Mr. Oden:
H. 1004. Relating to Franklin County; fixing the compensation of members of the board of revenue, court of county commissioners, or other like governing body of Franklin County, and providing for the manner of payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FRANKLIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Franklin County; fixing the compensation of members of the board of revenue, court of county commissioners, or other like governing body of Franklin County, and providing for the manner of payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the board of revenue, court of county commissioners, or other like governing body of Franklin County shall receive a salary of one thousand eight hundred dollars (1,800) per annum, payable in equal monthly installments out of the general fund of the county. It is provided, however, that one-half of such compensation, in the discretion of the county governing body, may be paid from monies received from the special county tax levied for public buildings, roads, and bridges.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

T-38-4

STATE OF ALABAMA,
FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin Co. Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin Co. Times for 4 consecutive weekly issues beginning with the issue of Sept. 17, 1959 and ending with the issue of Oct. 8, 1959.

CLAUDE E. SPARKS.

Subscribed and sworn to before me, this the 19 day of October, 1959 at Russellville, Alabama.

RUTH B. LEOPARD,
Notary Public.

My commission expires 7-29-61.

Also:

By Mr. Oden:
H. 1005. To amend further Section 1 of Act No. 201, approved July 13, 1951, entitled "An Act relating to Franklin County; authorizing the sheriff to appoint a deputy sheriff in addition to the deputies heretofore provided by law, fixing his compensation, and providing that the same shall be paid by the county", in relation to the amount of such deputy's compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FRANKLIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 201, approved July 13, 1951, entitled "An Act relating to Franklin County; authorizing the sheriff to appoint a deputy sheriff in addition to the deputies heretofore provided by law, fixing his compensation, and providing that the same shall be paid by the county", in relation to the amount of such deputy's compensation.

Be It Enacted by the Legislature of Alabama:

Section 1, Section 1 of Act No. 201, approved July 13, 1951, entitled "An Act relating to Franklin County; authorizing the sheriff to appoint a deputy sheriff in addition to the deputies heretofore provided by law,

fixing his compensation, and providing that the same shall be paid by the county", as amended by an act approved August 5, 1953, is amended further to read as follows:

"Section 1. The Sheriff of Franklin County is hereby authorized to appoint a deputy in addition to the deputies heretofore authorized by law. Such deputy shall be a resident of Franklin County; and he shall be paid a salary of two hundred dollars ($200) a month. The compensation of such deputy shall be paid by the county out of any funds in the county treasury not otherwise appropriated."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA,
FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin Co. Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin Co. Times for 4 consecutive weekly issues beginning with the issue of Sept. 17, 1959 and ending with the issue of Oct. 8, 1959.

CLAUDE E. SPARKS.

Subscribed and sworn to before me, this the 19 day of October, 1959 at Russellville, Alabama.

RUTH B. LEOPARD,
Notary Public.

My commission expires 7-29-61.

Also:

By Messrs. Thomas and Lee:

H. 1012. To provide for the recording of conveyances in Barbour County, and to repeal Sections 2, 3, 4 and 5 of Act No. 270, approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Be It Enacted by the Legislature of Alabama:

Section 1. For the purpose of recording deeds, mortgages, deeds of trust, bills of sale, contracts or other instruments, purporting to convey any right, title, easement or interest in any real estate or personal property, and all assignments of mortgages, deeds of trust, or other securities for debt, or extension agreements with respect thereto, when executed in accordance with law, shall be admitted to record in the respective offices of the Judge of Probate of Barbour County as hereinafter set out.

Section 2. For the purposes of this Act, Barbour County shall be composed of two divisions, separated by a line beginning on the South boundary of said county on Range line 27 thence running North along said Range line to the intersection of said Range line with the Township line between Township 11 and Township 12, thence West along said Township line to intersection of said Township line with Range line between Range 26 and Range 27, thence North along said Range line 3 miles to corner where Section 13 and 24, Township 12, Range 26, and Sections 18 and 19, Township 12, Range 27 meet in a point; thence West along section lines 3 miles to Southeast corner of Bullock County.

Section 3. All instruments of the character listed in Section 1 hereof, relating to property situated North and East of said division line described in Section 2 hereof shall be recorded in the office of the Judge of Probate of Barbour County at Eufaula; all such instruments relating to property situated South and West of said line described in Section 2 hereof shall be recorded in the office of the Judge of Probate of Barbour County at Clayton. All such instruments relating to property situated in both divisions of the county shall be recorded in both offices of the Judge of Probate of Barbour County.

Section 4. The filing as provided in this Act of any instrument which may legally be admitted to record shall operate as notice of the contents of such conveyance or instrument; and the filing of such instrument other than as herein provided shall not operate as notice of the same.

Section 5. Sections 2, 3, 4, and 5 of Act No. 270, approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296, are hereby repealed.

Section 6. This Act shall become effective on January 1, 1960.

Section 7. All laws, or parts of laws, in conflict herewith are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 29, Oct. 6, Oct. 13, and Oct. 20, all in the year 1959.

JOEL P. SMITH.

Sworn to and subscribed before me Oct. 20, 1959.

MRS. J. M. SMITH,
Notary Public.

Also:

By Mr. Bishop:

H. 1013. To amend further Section 5 of Act No. 32, H. 162, approved June 27, 1947 (Local Acts of Alabama, 1947, p. 25), entitled "An

Act To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," by providing further for the compensation of the judge of the Colbert Law and Equity Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 5 of Act No. 32, H. 162, approved June 27, 1947 (Local Acts of Alabama, 1947, p. 25), entitled "An Act To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," by providing further for the compensation of the judge of the Colbert Law and Equity Court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 32, H. 162, approved June 27, 1947 (Local Acts of Alabama, 1947, p. 25), as amended, entitled "An Act To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," is amended further to read as follows:

"Section 5. The judge of the Colbert Law and Equity Court shall receive a salary of nine thousand five hundred dollars ($9,500) per an-

num, payable in equal monthly installments out of the county treasury at the end of each month, his signed receipt being required."

Section 2. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Colbert County, voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The governing body of Colbert County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the 1959 Regular Session of the Legislature, which fixes the compensation of the judge of the Colbert Law and Equity Court, be adopted? Yes () No ()." If a majority of the votes cast in the election are "Yes," the provisions of this Act shall become effective upon the expiration of the term of the incumbent judge of the Colbert Law and Equity Court in accordance with the provisions of Amendment XCII of the Constitution of Alabama. If the majority are "No," this Act shall have no effect. The judge of probate of Colbert County shall certify the results of the election to the Secretary of State within 30 days after the returns thereof are canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. L. Meeks, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 25, Oct. 2, Oct. 9, and Oct. 16, all in the year 1959.

J. L. MEEKS, JR.

Sworn to and subscribed before me October 16, 1959.

JAMES A. ROBERTS,
Notary Public, State-at-Large.

My Commission Expires Oct. 9, 1962.

Also:

By Mr. Hankins:

H. 1014. To regulate further payment of compensation to deputy sheriffs by Lamar County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

With notice and proof thereto attached and herewith exhibited as follows:

THE STATE OF ALABAMA
LAMAR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further payment of compensation to deputy sheriffs by Lamar County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

Be It Enacted by the Legislature of Alabama:

Section 1. It being the duty of the chief deputy sheriff and other deputy sheriffs of Lamar County to enforce state traffic and motor vehicle laws, the court of county commissioners, board of revenue, or other like governing body of said county may, in its discretion, provide for payment of the compensation of the chief deputy sheriff of the county and any other deputy sheriffs whose compensation is paid by the county according to law, in whole or in part from the county public highway and traffic fund.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 24, Oct. 1, Oct. 8, and Oct. 15, all in the year 1959.

JACK HANKINS.

Sworn to and subscribed before me October 21, 1959.

DAVID R. ARCHER,
Notary Public, State at Large.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1011, 1003, 1004, 1005, 1012, 1013 and 1014 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Roberts:

H. 1033. Relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Madison County may require any record, document, plat, court file, book, map, paper, or writing made, acquired, or received as required by law by any official of Madison County to be photographed or microphotographed, on plate or film. Such photographs, microfilms, or prints made therefrom, when duly authenticated by the custodian thereof, shall have the same force and effect at law as the original record, or of a record made by any other legally authorized means, and may be offered in like manner and shall be received in evidence in any court where such original record, or record made by other legally authorized means, could have been so introduced and received. In like manner, reproductions made from such records by photographic or like process, when otherwise in compliance with applicable statutes, rules and regulations, shall be received and treated in any court of this State as fully as would a transcription or reproduction of such records made by any other means or process.

Section 2. The court or board is authorized to charge to any office, court, board, institution, department or agency of the county the cost of photographing or microphotographing of public records belonging to that office, court, board, institution, department, or agency, by the charging of the cost of such work to that office, court, board, institution, department or agency's appropriation from the county budget.

Section 3. The court or board may from time to time appropriate amounts out of the general fund of the county sufficient to pay the cost of photographing or microphotographing the public records belonging to the county, and may from time to time appropriate amounts sufficient to purchase necessary photographic or microphotographic equipment, materials and supplies therefor.

Section 4. There is hereby created a county records commission consisting of ten members as follows: The director of the State Department of Archives and History, who shall be the chairman of the commission; the chief examiner of the State Department of Examiners of Public Accounts; one member from the University of Alabama who shall be designated by the head of the Department of History; one member from the Alabama Polytechnic Institute who shall be designated by the head of the Department of History; the Madison County Probate Judge; the register of the circuit court of Madison County; the Madison County circuit court clerk; the Madison County tax assessor; the clerk of the board of county commissioners of Madison County, who shall be secretary of the commission; and one member from the local historical association, if organized, who shall be designated by the president of the historical association. Any of the members of this commission may delegate to another the duty of attending meetings and the power to act in his behalf. The commission shall meet at least once each fiscal year.

Section 5. The county records commission shall be charged with the responsibility of determining which county records shall be permanently preserved because of their historical value, and which records may be destroyed or otherwise disposed of after they have been microfilmed. The commission shall classify the different types of records accordingly. No county official shall cause any county records to be destroyed or otherwise disposed of without first obtaining the approval of the county records commission. In lieu of distruction of records approved to be destroyed by the commission, such records may be offered first to the State Department of Archives and History, and if not desired by said department, may be offered to the local historical association, library or museum. The Madison County board of commissioners, however, is authorized to expend the general funds of the county to build or lease a suitable building to retain old records authorized to be destroyed, in their discretion.

Section 6. No county official or employee shall destroy, dispose of, or cause to be destroyed or disposed of, any public record that has been microfilmed under the provisions of this act until the records custodian has certified that the microfilm copy has been processed and checked for clarity.

Section 7. The county records commission is hereby empowered to conduct surveys of public records in carrying out the provisions of this act. The commission shall from time to time issue regulations classifying all public records, and prescribe the period for which records of each class shall be retained, either permanently or for a specified number of years. Such regulations may from time to time be amended or repealed. Prior to issuing such regulations, the commission shall consider:

(1) Actions at law and administrative proceedings in which the production of public records might be necessary or desirable;

(2) State and federal statutes of limitation applicable to such actions or proceedings;

(3) The availability of information contained in public records from other sources;

(4) The actual or potential historical value of certain public records;

(5) The frequency of usage of such records;

(6) Such other matters as the commission shall deem pertinent in order that public records be retained for as short a period as is commensurate with the interests of the public.

Section 8. The actual and necessary expenses of the county officials who are members of the commission shall be paid by the county general fund. The actual and necessary expenses of the Alabama Polytechnic Institute and the University of Alabama representatives of the commission shall be paid by their respective institutions. The actual and necessary expenses of the state officials who are members of the commission shall be paid by the State.

Section 9. The board of county commissioners is hereby authorized to establish a central reproduction department for Madison County, and to employ a records custodian, who shall have charge of all reproduction work, including photographing and microphotographing, and who shall have custody of all records placed for storage outside the offices of the various county officials. Madison County is authorized to expend from its general fund all necessary monies for supplies and equipment with which to operate said department, including a salary for the records custodian.

Section 10. A fee of 10 cents per page will be charged, in addition to all filing and recording fees now charged, for each page of any record, document, plat, court file, book, map, paper or writing photographed or microphotographed, and each official receiving instrument to be photographed or microphotographed will collect the 10 cents per page and deposit same once each month by the 10th of the month to the credit of the county General Fund.

Section 11. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, W. C. Lewis, a Notary Public in and for said State and County, personally appeared R. M. Buchanan, known to me, who being by me first duly sworn, deposes and says he is General Manager of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached Legal Notice was published in said newspaper on July 10, 17, 24, and 31, 1959.

R. M. BUCHANAN,
General Manager.

Sworn to and subscribed before me this the 20 day of October, 1959.

WILLIAM C. LEWIS,
Notary Public.

My commission expires October 22, 1960.

Also:

By Mr. Self:

H. 1015. Directing the court of county commissioners, board of revenue, or like governing body of Marion County to provide for the installation and use of voting machines in that county:

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Directing the court of county commissioners, board of revenue or like governing body of Marion County to provide for the installation and use of voting machines in that county:

Be It Enacted by the Legislature of Alabama:

Section 1. After this act takes effect the court of county commissioners, board of revenue, or like governing body of Marion County shall provide for the installation and use of voting machines within the county. Such governing body may designate the election precincts within which voting machines shall be used and the precincts within which paper ballots shall continue to be used, and may adjust the boundaries of the election precincts or election districts within the county in order to make the most effective and practical use of voting machines. Upon the installation of voting machines in any election precinct, the machines must be used for registering or recording and computing the vote at all general, special, or primary elections thereafter held in such precinct.

Section 2. The provisions of this act shall only become effective if the act is approved by a majority of the qualified electors of Marion County voting in a referendum election to be held for that purpose. The referendum election shall be held on the same day as the first county-wide primary, general, or special election that is held at least sixty days after the date of this enactment. The governing body of Marion County shall order and provide for holding the referendum election on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. _____, approved _____, 1959, which provides for the installation and use of voting machines in Marion County, be approved? Yes () No ()." If a majority of the votes cast at the election are "Yes" the provisions of this act shall become effective immediately. If a majority of the votes cast at the election are "No" the act shall have no further effect.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Walter D. Haney, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Manager-Editor of the Marion County News-Journal, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 24, October 1, October 8, and October 15, all in the year 1959.

WALTER D. HANEY.

Sworn to and subscribed before me October 19, 1959.

RUBY W. SELF,
Notary Public.

Also:

By Mr. Harris:

H. 1016. To amend Act No. 31, H 256, approved June 17, 1957 (Acts of Alabama 1957, p. 77) entitled "An Act relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the county and officials thereof of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including DeKalb County's proportionate share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicle license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 31, H 256, approved June 17, 1957 (Acts of Alabama 1957), entitled "An Act relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County, providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the county and officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including DeKalb County's proportionate

share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicles license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 31, H 256, approved June 17, 1957 (Acts of Alabama 1957) entitled "An Act relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the county and its officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including DeKalb County's proportionate share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicle license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws", is amended to read as follows:

Section 5. Personnel shall be employed by the State Highway Department in the administration of this Act subject to the following conditions:

(a) Appointing Authority for all persons employed in DeKalb County in the administration of this Act shall be vested in a Board consisting of the State Highway Director, the State Representative and the State Senator representing DeKalb County. The Members of the Appointing Board shall serve without compensation and action shall be by majority vote. The State Highway Director shall be the Secretary of the Board and shall use the powers of his office in carrying out the directives of the Appointing Board.

(b) Persons now employed by DeKalb County for road and bridge work may be continued in the service by the State Highway Department, in its discretion until January 1, 1958 without regard to the State Merit System Act or rules and regulations promulgated under its authority. All persons employed by the Department in the administration of this Act on January 1, 1958 shall be brought under and covered by the State Merit System Law without examination and on a permanent Status, subject to the provisions of this Act.

(c) The engineering personnel employed by DeKalb County on the effective date of this Act shall be covered by the State Merit System Law, without examination, and on a permanent status, subject to the provisions of this Act, provided however, that the Resident Engineer, in charge of the operation in DeKalb County in the administration of this Act, shall serve, in this particular capacity, at the pleasure of the Appointing Board, provided for herein, and not otherwise, and provisions of the State Merit System Act notwithstanding.

(d) The State Highway Department may in its discretion employ or continue to employ personnel in the administration of this Act without regard to the provisions of the State Merit System Law until January 1, 1962, provided however, that all persons employed by the State Highway Department in the Administration of this Act on January 1, 1962 shall be brought under and covered by the State Merit System Law without examination and on a permanent status.

(e) The classification of all persons receiving State Merit System Status by virtue of this Act and without examination, shall be subject to review and reclassification by the Appointing Board prior to January 1, 1962.

(f) In certifying personnel to be appointed in the classified service, in the administration of this Act, the State Personnel Board shall select from its eligibility rosters persons residing in DeKalb County if such are available".

Section 2. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DEKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Doward N. Jones, publisher of The Fort Payne Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of June 9, 16, 23, and 30, 1959.

DOWARD JONES
Publisher.

Sworn to and subscribed before me this 6 day of July, 1959.

BEMA IGOU
Notary Public.

My commission expires January 16, 1962.

Also:

By Messrs. Sessions, Perry, Locke, Edwards, Morrow, Hawkins, and Rast:

H. 1019. To apply in and only in counties in Alabama now having or which may hereafter have a population of 500,000 or more, according to the last or any future federal census; to further provide the manner of entering payment or satisfaction on the margin of the record of the mortgage or deed of trust or other lien; to authorize and empower the Judge of Probate to delegate the authority and power to any clerk of such probate court to enter on the margin of the record the payment or satisfaction of the mortgage, deed of trust, or other lien, where the judge of probate is named in any power of attorney instrument duly recorded, authorizing such entry of satisfaction, and to sign or stamp the name of such judge as attorney in fact to such marginal satisfaction record; and to authorize the collection of a fee of fifty cents for each such entry on the margin of each such document record.

Also:

By Messrs. Sessions, Perry, Locke, Edwards, Morrow, Hawkins, and Rast:

H. 1021. To authorize the probate judges of all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent federal decennial census, to destroy or otherwise

dispose of certain papers and documents filed for record in his office under certain conditions.

Also:

By Messrs. Sessions, Perry, Edwards, Hawkins, Rast, Morrow, and Locke:

H. 1025. Relating to Jefferson County, Alabama; to provide for levying a license tax on persons and other engaging in selling tangible personal property at retail and one persons and others conducting places of amusement in said county, such tax to be measured by the gross receipts or gross proceeds of such businesses; to provide for levying an excise tax on the storage, use or other consumption in said County of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the license tax; specifying property the use, storage or other consumption of which is exempt from the excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of said taxes, and the enforcement of the provisions of this Act; making applicable to the taxes herein levied and adopting certain provisions of Act No. 100, H.B. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama, as amended; providing for the filing of reports with and the payment of tax to the Director of the Department of Revenue of Jefferson County, Alabama, and providing for the enforcement of this Act by said Director of Revenue of Jefferson County, Alabama; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said sales price or admission fee; providing for the use of the revenues from said taxes; providing for referenda or elections of the qualified electors for making the taxes applicable to said county; and providing for the termination of the taxes imposed subject to referenda or elections of the qualified electors of said county.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with Section 106 of the Constitution that a local law relating to Jefferson County will be introduced in the Legislature of Alabama and application for its enactment will be made at the current session. The substance of such law will be as follows:

To levy or authorize the levy of a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in the county, the tax to be measured by the gross receipts or gross proceeds of such businesses; and an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in the county; to specify sales and transactions that will be exempt from the measurement of the license tax, and to specify property, the use, storage or other consumption of which will be exempt from the excise tax; to provide for payment of said taxes, the making of reports and maintaining of records with respect thereto, the collection of the taxes, and the enforcement of the provisions of the Act; to make applicable to the taxes levied, and to include or to adopt certain of the provisions of Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of

Chapter 20, Title 51, Code of Alabama, as amended, the state sales tax and use tax statutes, respectively; to provide that the commissioner of revenue and the state department of revenue shall have all powers and duties respecting such taxes to be levied and the collection thereof as they have under said Act. No. 100 and said Article 11, as amended, with respect to the state sales tax and the state use tax; to provide for collection of the excise tax by sellers registered under the state sales and use taxes statutes; to provide that the license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the admission fee; and to provide for the use of the revenues from said taxes; and to provide for referenda or elections of the qualified electors of such county in respect of such tax.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JEFFERSON,

On this 15th day of October A.D. one thousand nine hundred and 59 personally appeared before me, J. L. Roberts, a Notary Public in and for the County and State aforesaid Howard E. Hunsinger who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: Sept 23, 30, 1959; Oct. 7, 14, 1959.

HOWARD E. HUNSINGER

Subscribed and sworn to before me this 15th day of October A. D. 1959.

J. L. ROBERTS
Notary Public.

My Commission Expires Feb. 28, 1960.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were serverally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1033, 1015, 1016, 1019, 1021 and 1025 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Perry, Morrow, Locke, Edwards, Rast, Sessions, and Hawkins:

H. 1020. To provide that in any county of the state having a population of 500,000 or more according to the last or any subsequent

federal census, any person who, in payment of any privilege or license tax due the state or the county, issues a worthless check, or a check which is not paid by the bank upon which it is drawn shall be subject to a penalty, and to provide that any license procured by or through such check shall be void and that no other business license shall be issued to the person drawing such check until the said penalty has been paid.

Also:

By Messrs. Sessions, Perry, Locke, Edwards, Morrow, Hawkins and Rast:

H. 1022. To authorize and empower the Judge of Probate and the Chief Clerk of the Probate Court to install and maintain improved systems of indexing in all probate courts in counties having a population of not less than 500,000 inhabitants according to the last or any subsequent federal census; to authorize the indexing of all estates and other cases in alphabetical order and to use card or strip indexes; and to authorize direct and reverse index of all real property instruments, and direct and reverse index of all personal property instruments and miscellaneous instruments, in alphabetical order; and to authorize the use of card or strip indexes in the office of the judge of probate in such counties; and to authorize the couny commission or like governing body to approve of the purchase of all equipment, files and supplies necessary to install and maintain such index systems.

Also:

By Messrs. Sessions, Perry, Locke, Edwards, Morrow, Hawkins and Rast:

H. 1023. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal census; to authorize and empower the judge of probate in any such county to delegate and assign duties, ministerial functions and authority to the chief clerk and other clerks and personnel of such probate court and its divisions and offices; to delegate and assign to, and invest in, the chief clerk of such probate court the title, duties and power of clerk of the probate court of such county, and to further prescribe the powers, duties and authority of such (chief clerk as) clerk and register of such probate court; to authorize the appointment of deputy clerks—registers in each office of such probate court from the personnel in such offices.

Also:

By Messrs. Locke, Perry, Morrow, Edwards, Rast, Sessions, and Hawkins:

H. 1024. To levy a license tax in Jefferson County, Alabama, on persons and others engaged in selling alcoholic, spiritous, vinous, or fermented liquor at retail; to provide that the tax be measured by the kind and quantity of such beverages so sold; to provide for the payment of such tax, the making of records and reports, and the maintaining of records with respect thereto; to provide for the collection and distribution of said tax, and the enforcement of the provisions of this act; to provide that the County Commission of Jefferson County, Alabama, shall have authority to adopt ordinances, rules and regulations pertaining to the collection of the tax, and the making of reports and maintaining of records with respect thereto, and providing that such ordinances, rules, and regulations shall have the force and

effect of law; to provide that the tax imposed shall constitute a debt to the county and may be collected by civil suit in addition to all other methods provided by law; to provide penalties for the violation of the provisions of this act; to provide that the tax, together with interest and penalties with respect thereto, shall constitute, and be secured by, a lien upon the property of any person from whom the tax is due; to require any person or others engaged in selling alcoholic, spiritious, vinous, or fermented liquor to obtain a permit from the Department of Revenue of Jefferson County, and to file a bond in an approximate sum of two times the estimated average monthly tax; to provide that the revenue derived from the tax, less the cost of collection shall be used solely to care for indigent sick and injured persons, including the necessary facilities therefor, who are bona fide residents of the county. In the event that other taxes are levied for these purposes, then such tax shall be used for the construction and operation of an outpatient clinic.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama that a local law relating to Jefferson County will be introduced in the Legislature of Alabama and application for its enactment will be made at the current session. The substance of such law will be as follows:

To levy a license tax on persons and others engaging in selling alcoholic, spirituous, vinous or fermented liquor, except malt or brewed beverages at retail, such tax to be measured by the kind and quantity of such liquors so sold; to provide for payment of such tax, the making of records and reports and maintaining of records with respect thereto, the collection of said tax, and the enforcement of the provisions of the Act; to provide that the governing body of the county shall have authority to adopt ordinances, rules, and regulations pertaining to the collection of the tax and the making of reports and maintaining of records with respect thereto, and providing that such ordinances, rules, and regulations shall have the force and effect of law; to provide that the tax imposed shall constitute a debt due the county and may be collected by civil suit, in addition to all other methods provided by law; to provide that the tax, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom the tax is due; to provide that the revenues derived by the county from the tax, less the cost of collection, shall be used solely to provide facilities to care for, and to care for indigent sick and injuried persons who are bona fide residents of the county; or in the event that other taxes are levied for such purposes, then for the construction and operation of an out-patient clinic.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JEFFERSON

On this 9 day of October A.D. one thousand nine hundred and 59 personally appeared before me, J. L. Roberts, a Notary Public in and for the County and State aforesaid Kenneth Street who being duly sworn according to law, declares that he is bookkeeper of "The

Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: Sept. 18, 25; Oct. 2, 9, 1959.

KENNETH STREET

Subscribed and sworn to before me this 9 day of October A.D. 1959.

J. L. ROBERTS,
Notary Public.

My Commission Expires Feb. 28, 1960.

Also:

By Mr. Oden:

H. 1002. To re-establish the County Court of Franklin County in lieu of the Law and Equity Court of Franklin County; abolishing the Law and Equity Court; providing for the transfer of the cases pending therein to the court hereby established or to the circuit court; defining the jurisdiction of the court hereby established; providing it with officers; defining their powers, duties, salaries, compensation, term of office and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; and providing for appeals from the court hereby established.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice of application of intention to apply for enactment of a local law affecting Franklin County.

TO WHOM IT MAY CONCERN:

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama of 1901 that a bill for a local law affecting Franklin County will be introduce at the current session of the Legislature, and application will be made for its enactment. The substance of such local law will be as follows:

To re-establish the county court of Franklin County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the court shall not be a court of record; to provide that the clerk of the circuit court shall be ex officio clerk of the county court; to provide that the fees and compensation of said clerk for his duties as clerk of the county court shall be the same as now allowed by law to the clerks of the circuit court in criminal cases, and shall be paid in like manner; to provide that the terms of the court shall be attended by the sheriff or his deputies; to provide that monthly terms of the court shall be held; to provide that a term of the court shall be held on the first Monday of every month, or on such other day of every month as the judge of said court may designate, at the county courthouse; to provide for a solicitor of the court and for his compensation; to provide for appeals to the circuit court of the county; to provide for the issuance of warrants of arrest by the judge of the court or the clerk of the court; to provide forms for process and for the execution of process; to prescribe procedures to be followed by the

court; to abolish the law and equity court for Franklin County established by Act. 404, H. 808, approved September 28, 1923 (Local Acts 1923, pp. 272-280); to repeal said Act; to provide for the transfer of cases pending in the Franklin County law and equity court to the circuit court of Franklin County and to the county court established by this Act; and to repeal all conflicting laws.

STATE OF ALABAMA,
FRANKLIN COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, co-owner and editor of the Franklin Co. Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin Co. Times for 4 consecutive weekly issues beginning with the issue of Oct. 1, 1959 and ending with the issue of Ot, 20, 1959.

Subscribed and sworn to before me, this the 20 day of October, 1959 at Russellville, Alabama.

CLAUDE E. SPARKS

RUTH B. LEOPARD
Notary Public

My Commission Expires 7-29-61.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1020, 1022, 1023, 1024 and 1002 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Lee:
H. 774. To make an appropriation to the Water Resources Study Commission for each of the two fiscal years ending September 30, 1960 and September 30, 1961 for expenditure by said Commission in the performance of its duties.

Also:

B yMessrs. Merrill and Thomas:
H. 775. To amend Section 125 of Title 12, Code of Alabama 1940, which relates to the interest rate and maturity of temporary loans made by county governing bodies in anticipation of taxes.

Also:

By Mr. Nettles:
H. 831. To provide for grants in aid for educational purposes and for the administration and enforcement of the Act.

Also:

By Messrs. Pierce, Goodwyn and Bailey:
H. 827. To amend Section 695, Title 51, Code of Alabama 1940, in relation to an apportionment of the license taxes payable by certain common carriers of passengers.

Also:

By Mr. Goodwyn:
H. 984. To amend further Section 152 of Title 41, Code of Alabama 1940, which relates to the salaries and compensation payable to certain officers and employees of the State of Alabama.

Also:

By Messrs. Goodwyn, Merrill, and Ferguson:
H. 733. To amend further Section 361 of Title 17, Code of Alabama 1940, in relation to single shot voting for the nomination or election of electors for president and vice president of the United States.

Also:

By Messrs. Boyd and Bassett:
H. 1010. For the relief of L. B. Kilpatrick, contractor: To make an appropriation of State Highway Department funds to compensate such contractor for certain construction work done on Alabama Highway Projects, S-522 (2) Shelby County, $16,323.51; Coffee County S-886, S-887, S-888, S-889, $3,419.03. Total $19,742.54.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 774, 831, 827, 984 and 1010 — to the Committee on Finance and Taxation

H. B. 775 — to the Committee on Judiciary

H. B. 733 — to the Committee on Privileges and Elections

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill, and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Johnson (J. T. Tom), Torbert, Turnham, and Adams (Tallapoosa):
H. 799. To provide an allowance to each official court reporter of the circuit courts in the Fifth Judicial Circuit payable by the counties composing said circuit to reimburse him for expenses incurred in the performance of his official duties.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 799 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Rast, Hawkins, Morrow, Edwards and Sessions:

H. 256. Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 256 — to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Powell, McLendon, Sullivan, Thomas, Turnham, Rogers, Torbert, Cook, Steagall, Hain, Franklin, Salter, Brannan, Brooks, Dickson, Boyd, Lee, Shumate, Guthrie, Harvey, Bevill, Gordon, Broadfoot, Bishop, Adams (Tallapoosa), Phillips, Trimmier, Bassett, Britton, Taylor, Oakley, Solomon, Chambers:

H. 568. To provide that all offices of the officials in the court houses of the several counties in the State of Alabama other than the

offices of the sheriff and other county law enforcement agencies may close one weekday in each week during the year; to provide for the fixing of the day of such closing to be determined by the governing body of the county by resolution entered on its minutes; to repeal Act No. 74, H. 12, approved June 9, 1945 (General Acts of Alabama 1945, p. 72).

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 568 — to the Committee on Counties and County Boundaries

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Roberts:
H. 1034. To provide for reimbursement of expenses incurred by members of the Board of County Commissioners of Madison County in the performance of their duties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for reimbursement of expenses incurred by members of the Board of County Commissioners of Madison County in the performance of their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Board of County Commissioners of Madison County other than the chairman of the board shall each be entitled to reimbursement for expenses incurred in the performance of official duties in the amount of 100 dollars ($100) a month, which shall be paid from any funds in the county treasury not otherwise appropriated at the end of each month, on warrants drawn in the same manner as warrants are drawn for the payment of his compensation and allowances as prescribed by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 28, Oct. 5, Oct. 12, and Oct. 19, all in the year 1959.

W. C. LEWIS.

Sworn to and subscribed before me October 20, 1959.

OPAL H. DILWORTH,
Notary Public.

Also:

By Mr. Roberts:

H. 1036. To supplement the state salary payable to circuit judges by payments from the county treasury in all judicial circuits composed of only one county which has a population of not less than 65,000 nor more than 75,000, according to the most recent federal decennial census.

Also:

By Messrs. Goodwyn, Bailey, Goldthwaite, and Pierce:

H. 1037. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 28, T16N, R18E, Montgomery County, Alabama, and Section 21, T16N, R18E, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

"A BILL
TO BE ENTITLED
AN ACT."

To alter, rearrange and extend the boundaries of the city of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 28, T16N, R18E, Montgomery County, Alabama, and Sec. 21, T16N, R18E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city certain additional territory lying within the following described boundaries, to-wit:

Beginning at the intersection of the North side of the Troy Highway and the West side of Carter Hill or Fisk Road; thence Westerly along the North side of the Troy Highway to the East line of the West-half of the East-half of the NW¼ of Section 28, T16N, R18E; thence North along the said East line of the West-half of the East-half of the NW¼ of said section 28, to the Northeast corner of the SW¼ of NE¼ of the NW¼ of said Section 28; thence West to the Quarter Section line running North and South through the center of the NW¼ of said section 28; thence North along the said Quarter Section line to the North line of said Section 28; thence continue North along the Quarter Section line running North and South through the center of the West-half of Section 21, T16N, R18E, to the South ROW line of Carter Hill Road; thence Easterly along the said South ROW line of Carter Hill Road to the Southwesterly corner of the intersection of Vaughan Road and said Carter Hill Road; thence S49 degrees 39'E along the Southwesterly ROW line of Carter Hill Road a distance of 719.8 feet, more or less, to a point on a curve in the ROW; thence Southeasterly along a long cord of a curve in said ROW line a distance of 472.2 feet, more or less, to a point; thence S05 degrees 07'E along the West ROW of Carter Hill Road a distance of 542.94 feet, more or less, to a point; thence S05 degrees 02'E along the West ROW of Carter Hill Road a distance of 1,918.16 feet, more or less, to a point; thence S04 degrees 01'E along the West ROW of Carter Hill Road a distance of 1,981 feet, more or less, to the point of beginning. The said property lying and being situated in Section 21 and Section 28, T16N, R18E, County of Montgomery, and State of Alabama.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, T. A. Hardy, a Notary Public in and for said State and County, personally appeared Guyton Parks for The Advertiser Company, publishers of The Montgomery Advertiser, a newspaper published in the City of Montgomery, County of Montgomery, and State of Alabama, who, being by me first duly sworn, deposes and says that the attached is a true copy of a "Legal Notice" which appeared in the regular editions of the said newspaper published in said City and County of Montgomery on September 17, September 24, October 1 and October 8, 1959.

GUYTON PARKS,
Business Manager.

Sworn to and subscribed before me, this the 9 day of Oct., 1959.

T. A. HARDY,
Notary Public.

Also:

By Messrs. Goodwyn, Bailey, Pierce, and Goldthwaite:

H. 1038. To authorize the governing body of any municipality in the State of Alabama having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use of facilities under its jurisdiction and

control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipalitly and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes.

Also:

By Messrs. Gilchrist and Brewer:

H. 1039. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and t oinclude within the boundaries of said municipality certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply at the next special or regular session of the Legislature of Alabama for the enactment of local law substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That the boundary lines of the City of Hartselle, in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein the following described property, to-wit:

The East sixteen (16) acres of the Southeast quarter of the Southeast quarter and the Northeast quarter of the Southeast quarter, all in Section 9, Township 7 South, Range 4 West, and that part of the East sixteen acres of the Northeast quarter of the Northeast quarter of Section 16, Township 7 South, Range 4 West lying North of Alabama Highway No. 36 in Morgan County, Alabama.

SECTION 2. This Act shall be effective immediately upon its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice hav-

ing appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1959.

JACK W. HOFFHAUS.

Sworn to and subscribed before me 14 October, 1959.

MATTIE L. DAVIS,
Notary Public.

Also:

By Mr. Smith (St. Clair):

H. 1040. To alter or rearrange the boundary lines of the city of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill, substantially as follows, will be introduced for enactment into law by the present Legislature of the State of Alabama.

AN ACT

To alter or rearrange the boundaries lines of the city of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also certain other territory in St. Clair county, Alabama.

Be It Enacted by the Legislature of Alabama:

Section I.

That the boundary lines of the City of Pell City, St. Clair County, Alabama, be and the same are altered or rearranged so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also other territory in St. Clair County, Alabama, described as follows: The South one-half of the Southeast Quarter; the Southeast Quarter of the South-west Quarter and all that part of the Southwest Quarter of the Southwest Quarter lying East of the present Corporate Limit Line of the City of Pell City, all in Section 35, Township 16, South, Range 3, East, St. Clair County, Alabama; also, the Northeast Quarter of the Northeast Quarter, the South one-half of the Southeast Quarter and all that part of the Northeast Quarter of the Southeast Quarter lying South of the North right-of-way line of the Southern Railway; the South one-half of the Southwest Quarter and Northwest Quarter of the Southwest Quarter, all in Section 2, and also, the Southeast diagonal one-half of the Southeast Quarter of Section 3, all in Township 17, South, Range 3 East, St. Clair County, Alabama.

Section 2.

That the boundaries as set out in Section 1, of this Act, be and the same are hereby established as the Corporate Limits of the City of Pell City, St. Clair County, Alabama, and all the territory included and embraced in said boundaries shall hereafter be and constitute the City of Pell City, St. Clair County, Alabama.

Section 3.

This Act shall go into effect immediately upon the passage and approval by the Governor.

AFFIDAVIT OF PUBLISHER

STATE OF ALABAMA
ST. CLAIR COUNTY

On this 1st day of Oct. 1959, personally appeared before me Ethel Blair, Notary Public, in and for the County and State aforesaid, Pat Granette, who being duly sworn according to Law, declares that she is Bookkeeper of the "St. Clair News-Aegis," a newspaper published in the city of Pell City, in the County of St. Clair, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in the "St. Clair News-Aegis" on the following dates: 8/6-13-20-27.

PAT GRANETTE.

Subscribed and sworn before me, this 1st. day of October, A. D., 1959.

/s/ ETHEL BLAIR,
Notary Public.

Also:

By Mr. Smith (St. Clair):

H. 1041. To change the method of compensating certain officers of St. Clair County; Fixing the salaries of such officers, and providing for the clerical assistance, office space, equipment, and supplies necessary for the conduct of their offices.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of St. Clair County: Fixing the salaries of such officers, and providing for the clerical assistance, office space, equipment, and supplies necessary for the conduct of their offices.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of St. Clair County shall received the following salaries:

(a) Judge of Probate — ten thousand dollars ($10,000.00) per annum;

(b) Sheriff — seven thousand five hundred dollars ($7,500.00) per annum;

(c) Tax Assessor — seven thousand dollars ($7,000.00) per annum;

(d) Tax Collector — seven thousand dollars ($7,000.00) per annum;

(e) Judges of the Inferior Court — three thousand six hundred dollars ($3,600.00) per annum, each; and

(f) Circuit Clerk — six thousand dollars ($6,000.00) per annum.

Such salaries shall be in lieu of all other compensation heretofore provided by law, and shall be paid in equal monthly installments out of the general fund of the county.

Section 2. All fees, commissions, allowances, percentages, and other charges heretofore collected for the use of the judge of probate, the judges of the inferior court, and the sheriff, tax assessor, tax collector, or circuit clerk of St. Clair County shall be collected and paid into the general fund of the county.

Section 3. The board of revenue, court of county commissioners, or other like governing body of St. Clair County shall provide the judge of probate, each judge of the inferior court, and the sheriff, tax assessor, tax collector, and circuit clerk of the county with such clerical assistance, quarters, books, stationery, office equipment, postage, and other such conveniences and supplies as are necessary for the proper and efficient conduct of their respective offices. Each of said officers shall have the authority to appoint such clerical assistants as may be authorized for his office, and such clerical assistants shall serve at the pleasure of the appointing authority. The sheriff shall also be provided with two automobiles and automotive equipment of his own choosing.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the costs and charges of courts in St. Clair County, and the fees, commissions, percentages, allowances or salary of, and the method of compensating any officer of St. Clair County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Assistant Editor of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 9-24, 10-1, 10-8, and 10-15, all in the year 1959.

ROBERT CORNETT.

Sworn to and subscribed before me Oct. 21, 1959.

ETHEL BLAIR,
Notary Public.

Also:

By Mr. Smith (St. Clair):
H. 1042. Proposing an amendment to the Constitution of Alabama relative to the costs and charges of courts in St. Clair County and the compensation of certain officers of St. Clair County.

Also:

By Mr. Hocklander:
H. 952. To provide for an additional judge of the Thirteenth Judicial Circuit of Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1034, 1036, 1037, 1038, 1039, 1040, 1041 and 1042 — to the Committee on Local Legislation

H. B. 952 — to the Committee on Finance and Taxation

(The bill, H. B. 1042, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (Russell), Adams (Tallapoosa), and Ashworth:
H. 616. To create the position of Chief Engineer in the State Highway Department; to provide for his appointment, qualifications, duties, responsibilities and salary; and to provide for the effective date of this Act.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 616 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Ferguson, Callahan, Turnham, and Torbert:
H. 801. Relating to State Educational Institutions: Proposing an amendment to the Constitution of Alabama authorizing certain State

educational institutions to pledge certain existing revenues for the acquisition or improvement of facilities.

Also:

By Messrs. Ferguson, Callahan, and Turnham:
H. 802. To authorize the state board of education and the boards of trustees of all state institutions to make investments of endowment funds and other funds held for investment in the same manner as the Teachers Retirement System of Alabama is authorized to make.

Also:

By Messrs. Harvey, Johnston (Leonard) and Nettles:
H. 931. Relating to schools; to provide for a Committee on Courses of Study; to prescribe the qualification and compensation of its members; to define its duties; and to repeal Sections 404, 405, 406, 407 of Title 52, Code of Alabama 1940 as amended.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 801 — to the Committee on Constitution and Constitutional Revision and Amendments

(The bill, H. B. 801, was read at length as required by the Constitution.)

H. B.'s 802 and 931 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hocklander, Trimmier, Pruitt, and Brannan:
H. 342. To amend Section 1 of Act No. 455, 1945 General Acts of Alabama, page 689, approved July 6, 1945, entitled an Act "To authorize the Department of State Docks and Terminals of the State of Alabama to carry fire and casualty and public liability insurance of all kinds and to pay the premiums thereon and to fix the liability in connection therewith and to authorize suits directly against the insurance carriers on any such policies and to repeal all laws, or parts of laws, in conflict herewith."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 342 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Camp and Nichols:
H. 302. To make an appropriation for the relief of Leroy Lackey Company, Inc.

Also:

By Messrs. Nichols and Camp:
H. 752. To make additional appropriations to the State Department of Education for each of the fiscal years ending September 30, 1960, and September 30, 1961.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 302 and 752 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Salter:
H. 981. To amend Section 87 of Title 22, Code of Alabama 1940, in relation to the enactment of regulations governing the removal or transportation of the bodies of deceased persons by cities and towns.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 981 — to the Committee on Public Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Oakley, Merrill and Lee:
H. 372. To amend further the act approved July 7, 1945 (Act No. 412, S. 261, Gen. Acts 1945, p. 647) providing for the adoption, selection,

purchase, and distribution of textbooks to be used in the tax-supported public schools of Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 372 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution, and returns same herewith to the Senate:

S. J. R. 38. Relative to expressing thanks to Honorable Tom Johnson and his brother for entertainment provided at their farm in Tallapoosa County.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 37. Relative to amending Senate Joint Resolution No. 29, pertaining to Judge Will Walton.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 73. Relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 72. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cates and Speaks:

H. 970. To apply only in Chilton County: To require railroads to install and maintain flashing electric signals or other similar warning devices at every intersection of their tracks with a federal or state highway or a county road where there is a grade crossing in Chilton County, when requested to do so by the state highway department or the county governing body; and to prescribe penalties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF CHILTON:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in Chilton and Shelby Counties: To require railroads to install and maintain flashing electric signals or other similar warning devices at every intersection of their tracks with a federal or state highway or a county road where there is a grade crossing in either Chilton or Shelby County, when requested to do so by the state highway department or the county governing body; and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Every person, firm, or corporation engaged in operating a railroad in Chilton or Shelby county shall, within thirty days after receipt of a request therefor from the state highway department, install and thereafter maintain flashing electric signals or similar devices warning of the immediate approach of trains at any grade crossing of its tracks by a federal or state highway in either Chilton or Shelby County at which the state highway department requests such signals or warning devices; and, within thirty days after receipt of request therefor from the court of county commissioners, board of revenue, or other like governing body of Chilton or Shelby county shall install & thereafter maintain flashing electric signals or devices warning of the immediate approach of a train, at any grade crossing of its tracks by a county road in such counties, at which the county governing body requests such signals or warning devices.

Section 2. Any person, firm or corporation operating a railroad in Chilton or Shelby county who fails to install flashing signals or warning devices when and where the installation thereof is requested as hereinabove prescribed, shall upon conviction be fined not more than one hundred dollars, and each day of such failure after the expiration of thirty days from the receipt of the request for such installation shall constitute a separate offense.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State. this day personally appeared Carlos W. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Assistant Manager of the Union Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 17, September 24, October 1, and October 8, all in the year 1959.

CARLOS W. WYATT.

Sworn to and subscribed before me October 8, 1959.

A. B. FOSHEE,
Notary Public.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF SHELBY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in Chilton and Shelby Counties; To require railroads to install and maintain flashing electric signals or other similar warning devices at every intersection of their tracks with a federal or state highway or a county road where there is a grade crossing in either Chilton or Shelby County, when requested to do so by the state highway department or the county governing body; and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Every person, firm, or corporation engaged in operating a railroad in Chilton or Shelby County shall, within thirty days

after receipt of a request therefor from the state highway department install and thereafter maintain flashing electric signals or similar devices warning of the immediate approach of trains at any grade crossing of its tracks by a federal or state highway in either Chilton or Shelby County at which the state highway department requests such signals or warning devices; and, within thirty days after receipt of request therefor from the court of county commissioners, board of revenue, or other like governing body of Chilton or Shelby County, shall install and thereafter maintain flashing electric signals or devices warning of the immediate approach of a train, at any grade crossing of its tracks by a county road in such counties, at which the county governing body requests such signals or warning devices.

Section 2. Any person, firm or corporation operating a railroad in Chilton or Shelby County who fails to install flashing signals or warning devices when and where the installation thereof is requested as hereinabove prescribed, shall upon conviction be fined not more than one hundred dollars, and each day of such failure after the expiration of thirty days from the receipt of the request for such installation shall constitute a separate offense.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Luther Fowler, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was the publisher of the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Sept. 17, Sept. 24, October 1, and October 8, all in the year 1959.

LUTHER FOWLER

Sworn to and subscribed before me October 9th, 1959.

CONRAD M. FOWLER
Judge of Probate

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 970 — to the Committee on Local Legislation

MOTION TO ADJOURN LOST

At 5:37 P.M., Mr. Golson moved that the Senate adjourn until Wednesday, November 4, 1959, at 1 o'clock P.M., which motion was lost.

Yeas 15; Nays 17.

Yeas:

Messrs.:	Eddins	Kendall	Rutledge
Andrews	Gaither	Leonard	Shelton
Barnett	Givhan	Moses	Turner
Crawford	Golson	Roberts	Wyatt

—15

Nays:

Messrs.:	deGraffenried	Green	Porter
Archer	Dumas	Haltom	Robison
Berryman	Farmer	Hines	Samford
Caffey	Godfrey	Jones	Webb
Cooper	Graham		

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FURTHER CONSIDERATION OF S. B. 316

The Senate proceeded to further consideration of the Bill, S. B. 316.

The question was on the substitute offered by Mr. Andrews for the Bill and pending Committee substitute.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S.J.R. 18 Delivered to the Governor, September 8, 1959 at 2:30 P.M.

S. B. 26 Delivered to the Governor, September 8, 1959 at 2:30 P.M.

S.J.R. 21 Delivered to the Governor, September 22, 1959 at 1:45 P.M.

S. B. 4 Delivered to the Governor, September 22, 1959 at 1:45 P.M.

S.J.R. 22 Delivered to the Governor, September 22, 1959 at 1:45 P.M.

S. B. 25 Delivered to the Governor, September 22, 1959 at 1:45 P.M.

S. B. 226 Delivered to the Governor, September 22, 1959 at 1:45 P.M.

S. B. 115 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 202 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 268 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 272 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 273 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 278 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 292 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 293 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 294 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 295 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 298 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 299 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S.J.R. 23 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 61 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 281 Delivered to the Governor, September 25, 1959 at 10:35 A.M.

S. B. 312 Delivered to the Governor, September 30, 1959 at 9:10 A.M.

S. B. 235 Delivered to the Governor, September 30, 1959 at 9:10 A.M.

S. B. 314 Delivered to the Governor, September 30, 1959 at 9:10 A.M.

S. B. 67 Delivered to the Governor, September 30, 1959 at 9:10 A.M.

S. B. 238 Delivered to the Governor, September 30, 1959 at 9:10 A.M.

S. B. 311 Delivered to the Governor, September 30, 1959 at 9:10 A.M.

S. B. 329 Delivered to the Governor, September 30, 1959 at 9:10 A.M.

S. B. 305 Delivered to the Governor, September 30, 1959 at 9:10 A.M.

S. B. 128 Delivered to the Governor, September 30, 1959 at 9:10 A.M.

S.J.R. 26 Delivered to the Governor, October 2, 1959 at 2:25 P.M.

S. B. 269 Delivered to the Governor, October 6, 1959 at 11:15 A.M.

S. B. 342 Delivered to the Secretary of State, October 6, 1959 at 11:18 A.M.

S. B. 348 Delivered to the Governor, October 9, 1959 at 10:30 A.M.

S. B. 352 Delivered to the Governor, October 9, 1959 at 10:30 A.M.

S. B. 264 Delivered to the Governor, October 9, 1959 at 10:30 A.M.

S.J.R. 29 Delivered to the Governor, October 13, 1959 at 2:40 P.M.

S.J.R. 34 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 41 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 277 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 327 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 343 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 369 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 370 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S.J.R. 30 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 90 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 330 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 338 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 339 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 358 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 377 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 379 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 387 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 389 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 398 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 259 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

S. B. 267 Delivered to the Governor, October 30, 1959 at 2:05 P.M.

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Thirty-second Legislative Day was approved by the Senate.

ADJOURNMENT

At 6:09 P.M., on motion of Mr. Golson, pending further consideration of S. B. 316, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Wednesday, November 4, 1959, at 9 o'clock A.M.

THIRTY-THIRD LEGISLATIVE DAY

WEDNESDAY, NOVEMBER 4, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Dr. Robert Strong, Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Rutledge
Archer	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Roberts	Wyatt

—35

JOURNAL

On motion of Mr. Givhan, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

UNFINISHED BUSINESS

BILLS ON THIRD READING

The Senate proceeded to consideration of the Unfinished Business of yesterday, which was the Bill:

S. 316. To implement the powers of the Governor as conservator of the peace and to authorize the Governor to close any school, trade school, or institution or any branch or department thereof under the control of the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Institute for Deaf and Blind or the State Board of Education; and to provide for the effective date of this Act.

The question was on the substitute offered by Mr. Andrews for the bill, S. B. 316, and pending Committee substitute, which said substitutes are set out at length in the Journal of the Senate for the Thirty-first Legislative Day.

Mr. Crawford moved that further consideration of the bill and pending substitutes be indefinitely postponed.

MOTION TO RECESS LOST

At 11:39 A. M., Mr. Golson moved that the Senate take a Recess until 1:30 this afternoon, which motion was lost.

Yeas 5; Nays 24.

Yeas: Messrs. Barnett, Gaither, Golson, Leonard and Roberts. —5

Nays:

Messrs.:	Dumas	Hines	Samford
Berryman	Farmer	Jones	Shelton
Caffey	Godfrey	Kendall	Turner
Clark	Graham	Porter	Webb
Cooper	Green	Robison	Word
Crawford	Haltom	Rutledge	Wyatt
deGraffenried			

—24

FURTHER CONSIDERATION OF S. B. 316

The Senate proceeded to further consideration of the Bill, S. B. 316. The question was on the motion offered by Mr. Crawford that the Senate indefinitely postpone further consideration of the Bill, S. B. 316, and pending substitutes.

MOTION TO RECESS LOST

At 12:40 P. M., Mr. Barnett moved that the Senate take a Recess until 3 o'clock this afternoon, which motion was lost.

Yeas 5; Nays 19.

Yeas: Messrs. Barnett, Golson, Leonard, Roberts and Shelton. —5

Nays:

Messrs.:	Dumas	Hines	Rutledge
Archer	Godfrey	Jones	Samford
Caffey	Graham	Kendall	Turner
Crawford	Green	Porter	Webb
deGraffenried	Haltom	Robison	Word

—19

FURTHER CONSIDERATION OF S. B. 316

The Senate proceeded to further consideration of the Bill, S. B. 316. The question was on the motion offered by Mr. Crawford that the Senate indefinitely postpone further consideration of the Bill, S. B. 316, and pending substitutes.

MOTION TO RECESS LOST

At 2:45 P. M., Mr. Barnett moved that the Senate take a recess until 4:30 P. M. this afternoon, which motion was lost.

Yeas 2; Nays 23.

Yeas: Messrs. Barnett and Golson. —2

Nays:

Messrs.:	Dumas	Hines	Samford
Andrews	Eddins	Jones	Shelton
Berryman	Farmer	Kendall	Webb
Caffey	Godfrey	Porter	Wilson
Cooper	Green	Robison	Word
Crawford	Haltom	Rutledge	Wyatt

—23

FURTHER CONSIDERATION OF S. B. 316

The Senate proceeded to further consideration of the Bill, S. B. 316. The question was on the motion of Mr. Crawford that further consideration of the Bill, S. B. 316, and pending substitutes, be indefinitely postponed by the Senate.

MOTION TO ADJOURN LOST

At 6:52 P. M., Mr. Golson moved that the Senate adjourn until Friday, November 6, 1959, at 10 o'clock A. M., which motion was lost.

Yeas 3; Nays 21.

Yeas: Messrs. Golson, Leonard and Turner. —3

Nays:

Messrs.:	deGraffenried	Haltom	Robison
Archer	Dumas	Hines	Rutledge
Berryman	Farmer	Jones	Samford
Caffey	Godfrey	Moses	Shelton
Cooper	Graham	Porter	Word
Crawford	Green		

—21

FURTHER CONSIDERATION OF S. B. 316

The Senate proceeded to further consideration of the Bill, S. B. 316. The question was on the motion of Mr. Crawford that further consideration of the Bill, S. B. 316, and pending substitutes, be indefinitely postponed by the Senate.

MOTION TO ADJOURN LOST

At 7:54 P. M., Mr. Golson moved that the Senate adjourn until Friday, November 6, 1959, at 10 o'clock A. M.

Mr. Robison moved as a substitute motion that when the Senate adjourns today, it adjourn to meet again tomorrow, November 5, 1959, at 12:01 A. M., which motion was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Archer	Eddins	Hines	Samford
Berryman	Farmer	Jones	Shelton
Caffey	Godfrey	Leonard	Turner
Cooper	Golson	Moses	Webb
Crawford	Graham	Porter	Word
deGraffenried	Green	Robison	Wyatt

—27

Nays: —0

FURTHER CONSIDERATION OF S. B. 316

The Senate proceeded to further consideration of S. B. 316. The question was on the motion of Mr. Crawford that further consideration of the Bill, S. B. 316, and pending substitutes, be indefinitely postponed, which motion was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison
Archer	Farmer	Hines	Rutledge
Berryman	Gaither	Jones	Samford
Caffey	Givhan	Kendall	Shelton
Cooper	Godfrey	Leonard	Webb
Crawford	Golson	Moses	Wilson
deGraffenried	Graham	Porter	Word
Dumas	Green		

—29

Nays: —0

Mr. Golson moved that the Senate reconsider the vote by which it indefinitely postponed the Bill, S. B. 316, and pending substitutes.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Thirty-third Legislative Day was approved by the Senate.

ADJOURNMENT

The hour of twelve o'clock Midnight having arrived, the President and Presiding Officer of the Senate declared the Senate adjourned, pending further consideration of S. B. 316, to meet again, in accordance with motion heretofore adopted, Thursday, November 6, 1959, at 12:01 A. M.

THIRTY-FOURTH LEGISLATIVE DAY

THURSDAY, NOVEMBER 5, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by Honorable Robert R. Berryman, Senator, Second District.

ROLL CALL

Present:

Messrs.:	Dumas	Green	Roberts
Andrews	Eddins	Haltom	Robison
Archer	Farmer	Hines	Rutledge
Barnett	Gaither	Jones	Samford
Berryman	Givhan	Kendall	Shelton
Caffey	Godfrey	Leonard	Webb
Cooper	Golson	Moses	Word
Crawford	Graham	Porter	Wyatt
deGraffenried			

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JOURNAL

On motion of Mr. Givhan, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business of yesterday, which was the motion of Mr. Golson that the Senate reconsider the vote by which it indefinitely postponed the Bill, S. B. 316, and pending substitutes.

RESOLUTION

Mr. Golson offered the following Senate Joint Resolution, to-wit:

S. J. R. 39. BE IT RESOLVED BY THE SENATE OF ALABAMA, The House concurring, that when the two houses adjourn today, they adjourn sine die.

Which was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion of Mr. Golson that the Senate reconsider the vote by which the Bill, S. B. 316, and pending substitues, was indefintely postponed.

MOTION TO ADJOURN

At 5:10 A. M., Mr. Wyatt moved that the Senate adjourn until Friday, November 6, 1959, at 4 o'clock P. M.

Mr. Cooper moved as a substitute motion, in writing, to-wit:

"I move that when the Senate adjourns today, they adjourn to meet again Friday, November 6th, at 12:01 A. M."

Which was adopted.

Yeas 18; Nays 2.

Yeas:

Messrs.:	Crawford	Haltom	Robison	
Archer	deGraffenried	Hines	Rutledge	
Berryman	Farmer	Kendall	Webb	
Caffey	Godfrey	Moses	Wyatt	
Cooper	Green	Porter		—18

Nays: Messrs. Leonard and Shelton. —2

FURTHER CONSIDERATION OF MOTION TO RECONSIDER

The Senate proceeded to further consideration of the motion of Mr. Golson that the Senate reconsider the vote by which it indefinitely postponed the Bill, S. B. 316, and pending substitutes. On motion of Mr. Robison, the motion to reconsider was laid on the table.

BILLS ON THIRD READING

The Bill:

S. 317. To implement the power of the Governor as conservator of the peace throughout the State; to define such powers with respect to

the operation of public schools; to prevent violence and disorder in connection with the operation of public schools; to provide for the closing of public schools and for the education of pupils from such schools; to confer power upon the Governor with respect to such schools; and to provide for the effective date of this Act.

was taken up.

The Standing Committee on Education reported the following substitute for the Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To implement the power of the Governor as conservator of the peace throughout the State; to define such powers with respect to the operation of public schools; to prevent violence and disorder in connection with the operation of public schools; to provide for the closing of public schools and for the education of pupils from such schools; to confer power upon the Governor with respect to such schools; and to provide for the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever the Governor shall determine, from such facts as he may find to exist, the sufficiency of which he shall be the sole judge, that the continued operation of any public school in any county, city or independent school district in the State is likely to result in or cause violence or public disorder or endanger life and property in the community in which such school is situated, or that it is necessary in order to preserve the good order, peace and dignity of the State, or any subdivision thereof, that any such school be closed, he must make public his findings by proclamation, and such school must thereupon be closed upon service of an official copy of such proclamation upon the person or persons in charge of such school by the sheriff of the county in which such school is located.

Section 2. After the issuance of such a proclamation by the Governor under Section 1 hereof, it shall be unlawful for the Boards of Education or other public authorities of any such county, city or independent school district to operate any school to which such proclamation relates, and it shall be unlawful for any State, county or municipal officer or official, or any person occupying a position of public employment as a school teacher or otherwise, to participate in the operation of any such school as a public school; and the expenditure of public funds of the State, any county or any city or municipal corporation or other political subdivision for the operation of any such school shall also be unlawful.

Section 3. A determination by the Governor to close a public school made in accordance with the provisions of this Act shall be final and not subject to review by any court or other authority.

Section 4. Whenever any public school is closed pursuant to this Act, the Board of Education or other public authorities of the County, city or independent school district shall take necessary action to protect all public school property of such public schools so closed. Nothing contained in this Act shall be construed as impairing the power of the county, city or independent school district boards of education with respect to the sale, lease, or exchange of public school property

under their jurisdiction as provided by law. Whenever any public school is ordered by the Governor, pursuant to this Act, to be closed, the local Board of Education may transfer the teachers and other employees of the closed school to other schools within the jurisdiction of the employing board of education at the same compensation, upon the same terms and with the same rights and benefits to which they are entitled at the closed school, and may transfer or assign, as the case may be, any pupils affected by said closure to another school or schools within the jurisdiction of said board, or said board of education may make such other provisions for the education of such pupil or pupils as is authorized by law.

Section 5. Any person who shall violate any provision of this Act, and any person who shall continue to operate, or who shall attempt to operate, as a public school, any school closed under this Act or shall attend, or cause anyone else to attend, any such closed school, or attempt so to do, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than five hundred dollars ($500.00) or imprisoned in the county jail for not more than six (6) months, either or both.

Section 6. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 7. All laws and parts of laws in conflict with this Act are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Mr. Crawford moved that further consideration of the Bill, S. B. 317, and pending Committee substitute, be indefinitely postponed.

RECESS

At 12:26 P. M., Mr. Shelton moved that the Senate take a Recess until 12:41 P. M., which motion was lost.

Yeas 12; Nays 13.

Yeas:

Messrs.:	Farmer	Golson	Rutledge	
Andrews	Gaither	Green	Shelton	
Barnett	Givhan	Roberts	Wilson	
Eddins				—12

Nays:

Messrs.:	Crawford	Jones	Porter	
Berryman	deGraffenried	Kendall	Robison	
Caffey	Godfrey	Moses	Word	
Cooper	Haltom			—13

Mr. Kendall moved that the Senate reconsider the vote by which the motion to recess was lost. The Senate did reconsider said vote, and the motion to recess was adopted.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, the President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Eddins	Hines	Rutledge	
Archer	Farmer	Jones	Samford	
Barnett	Gaither	Kendall	Shelton	
Berryman	Givhan	Leonard	Webb	
Caffey	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Graham	Roberts	Wyatt	
deGraffenried	Green			—33

BILLS ON THIRD READING RESUMED

S. 433. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Rutledge	
Andrews	Eddins	Jones	Samford	
Archer	Farmer	Kendall	Turner	
Barnett	Gaither	Moses	Webb	
Berryman	Godfrey	Porter	Word	
Caffey	Golson	Robison	Wyatt	
Cooper				—24

Nays: —0

The Bill:

H. 533. Relating to taxation: exempting the gross proceeds of sales of certain small stores or vending stands operated by blind persons from the sales tax, and prescribing penalties for violations of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Shelton	
Archer	Farmer	Kendall	Turner	
Barnett	Gaither	Leonard	Webb	
Berryman	Givhan	Moses	Wilson	
Caffey	Godfrey	Robison	Word	
Cooper	Graham	Rutledge	Wyatt	
Crawford	Haltom			—25

Nays: —0

The Bill:

S. 359. To provide for the licensing and operation of privately owned shooting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

was taken up.

Mr. Green offered the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL NO. 359

In Section 1 add the following sentence at the end thereof: "The term 'shooting preserves' as used in this Act shall mean only those preserves wherein the game listed in Section 4 of this Act is artificially propagated, raised and/or released for hunting purposes."

In Section 3 strike from the last sentence thereof the word "hunting" and insert therefor the word "shooting."

In Section 4 strike from the last sentence thereof the word "hunting" and insert therefor the word "shooting."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Roberts	
Andrews	Dumas	Green	Samford	
Archer	Farmer	Hines	Turner	
Berryman	Gaither	Jones	Webb	
Caffey	Givhan	Leonard	Word	
Cooper	Godfrey	Porter	Wyatt	
Crawford				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Roberts	
Andrews	Dumas	Green	Samford	
Archer	Farmer	Hines	Turner	
Berryman	Gaither	Jones	Webb	
Caffey	Givhan	Leonard	Word	
Cooper	Godfrey	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

S. 427. To propose an Amendment to the Constitution of Alabama to provide that the making and collection of mortgage loans in Alabama by non-residents solely through the Agency of loan brokers duly licensed as Mortgage Loan Brokers under the laws of Alabama, and maintaining a place of business in the State of Alabama, shall not constitute doing business in Alabama by such non-resident lender, but subjecting such non-resident lender to process in Alabama for the purpose of determing any question concerning such loans.

Was read a third time at length, as required by the Constitution, and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Godfrey	Kendall	Shelton	
Berryman	Golson	Leonard	Turner	
Caffey	Graham	Moses	Webb	
Cooper	Green	Robison	Wilson	
deGraffenried	Haltom	Rutledge	Word	
Dumas	Hines	Samford	Wyatt	
Farmer	Jones			—25

Nays: —0

The Bill:

H. 944. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Barnett	Eddins	Haltom	Samford	
Berryman	Farmer	Hines	Shelton	
Caffey	Givhan	Jones	Turner	
Cooper	Godfrey	Leonard	Wilson	
Crawford	Graham	Moses	Wyatt	
deGraffenried				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (Russell), Pruitt:
H. 1116. To make an additional appropriation for payment of expenses of the Legislature.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1116 — to the Committee on Finance and Taxation

BILLS ON THIRD READING RESUMED

The Bill:

H. 855. To permit any water works board organized under the provisions of Sections 394 to 402, inclusive, of Title 37 of the Code of Alabama of 1940 which has acquired or may hereafter acquire a gas plant and system pursuant to Act No. 154 adopted at the 1947 Regular Session of the Legislature of Alabama, to issue revenue bonds for certain water works purposes and to pledge for payment of such revenue bonds not only water revenues, but also any available gas revenues and to provide that in order so to issue revenue bonds it shall not be necessary for such water works board to combine such water and gas systems.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Samford	
Archer	Eddins	Kendall	Shelton	
Barnett	Gaither	Leonard	Turner	
Berryman	Givhan	Porter	Wilson	
Caffey	Golson	Roberts	Word	
Cooper	Green	Rutledge	Wyatt	
Crawford				—24

Nays: —0

The Bill:

S. 459. To apply in all counties of the State having a population of not less than 500,000 according to the last or any subsequent Federal decennial census; to authorize the county commission of any county to which this act applies to call an election for the approval or disapproval of central daylight savings time; providing for the ordering and holding of such election.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Hines	Shelton	
Archer	Givhan	Kendall	Turner	
Berryman	Godfrey	Moses	Wilson	
Caffey	Golson	Porter	Word	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

S. 460. To extend, alter and rearrange the boundary lines and corporate limits of the city of Irondale in Jefferson County, Alabama, so as to include within the corporate limits of said city of Irondale all territory now within such corporate limits and also certain other territory contiguous thereto.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Moses	
Andrews	Dumas	Green	Roberts	
Archer	Farmer	Haltom	Samford	
Barnett	Gaither	Jones	Shelton	
Berryman	Givhan	Kendall	Wilson	
Caffey	Godfrey	Leonard	Word	
Cooper				—24

Nays: —0

The Bill:

S. 461. To prohibit any person who has attained the age of 70 years from holding any position in the classified service in any county to which Act No. 248, General Laws of Alabama, approved July 6, 1945 (1945 Acts, pp. 376-400), entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof," applies and to provide that this Act shall become effective January 1, 1962.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Crawford	Gaither
Andrews	Caffey	Dumas	Godfrey
Archer	Cooper	Farmer	Graham

Green	Moses	Robison	Webb	
Hines	Porter	Rutledge	Wilson	
Jones	Roberts	Shelton	Wyatt	
Kendall				—24

Nays: —0

FURTHER CONSIDERATION OF S. B. 317

The Senate proceeded to further consideration of the Bill, S. B. 317, and pending Committee substitute. The question was on the motion of Mr. Crawford that further consideration of the Bill, S. B. 317, and pending Committee substitute, be indefinitely postponed by the Senate, which motion was adopted.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Eddins	Hines	Samford	
Andrews	Farmer	Jones	Shelton	
Berryman	Givhan	Kendall	Turner	
Caffey	Godfrey	Leonard	Webb	
Cooper	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Word	
deGraffenried	Green	Robison	Wyatt	
Dumas	Haltom	Rutledge		—30

Nay: Mr. Barnett —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 102. Said report of said Conference Committee being in words and figures as follows:

TO THE SENATE

TO THE HOUSE OF REPRESENTATIVES

We, your Conference Committee, appointed on the disagreement of the two houses on the Senate amendment to House Bill 102 beg leave to report as follows:

1. We recommend that the Senate recede from its amendment to the bill.

2. We further recommend that the Senate and the House adopt the following substitute for the bill:

SUBSTITUTE FOR H. B. 102

A BILL
TO BE ENTITLED
AN ACT

Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corportions engaged in the business of lending money in amounts of

three hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Declaration of Legislative Intent. The Legislature finds as facts and determines that:

1. There exists among citizens of this state a widespread demand for small loans. The scope and intensity of this demand have been increased progressively by many social and economic forces.

2. The expense of making and collecting small loans, which are usually made on comparatively unsubstantial security to wage earners, salaried employees and other persons of relatively low incomes is necessarily high in relation to the amounts lent.

3. Such loans cannot be made profitably under the limitations imposed by existing laws relating to interest and usury. These limitations have tended to exclude lawful enterprises from the small loan field. Since the demand for small loans cannot be legislated out of existence, many small borrowers have been left to the mercy of those willing to bear the opprobrium and risk the penalties of usury for a large profit.

4. Interest charges are often disguished by the use of subterfuges to evade the usury law. These subterfuges are so complicated and technical that the usual borrower of small sums is defenseless even if he is aware of the usurious nature of the transaction and of his legal rights.

5. As a result, borrowers of small sums are being exploited, to the injury of the borrower, his dependents, and the general public. Charges are generally exorbitant in relation to those necessary to the conduct of a legitimate small loan business; trickery and fraud are common; and oppressive collection practices are prevalent.

6. These evils characterize and distinguish loans of three hundred dollars ($300) or less. Legislation to control this class of loans is necessary to protect the public welfare.

7. It is the intent of the legislature in enacting this law to bring under public supervision those engaged in the business of making such loans, to eliminate practices that facilitate abuse of borrowers, to establish a small loan service and of stimulating competitive reductions in charges, to allow lenders who meet the conditions of this Act a rate of charge sufficiently high to permit a business profit, and to provide the administrative machinery necessary for effective enforcement.

Section 2. Definitions. The following words and terms when used in this Act shall have the following meanings unless the context clearly requires a different meaning. The meaning ascribed to the singular form shall apply also to the plural.

"Person" shall include individuals, co-partnerships, associations, trusts, corporations, and any other legal entities.

"License" shall mean a license, issued under the authority of this Act, to make loans in accordance with the provisions of this Act at a single place of business.

"Licensee" shall mean a person to whom one or more licenses have been issued.

"Supervisor" shall mean the Supervisor of the Bureau of Loans of the State Banking Department.

"Bureau" shall mean the Bureau of Loans of the State Banking Department.

"Cash Advance" means the amount of cash or its equivalent that the borrower actually receives or is paid at his direction or on his behalf.

Section 3. Scope (a) No person shall engage in the business of lending in amounts of three hundred dollars ($300) or less and contract for, exact, or receive, directly or indirectly, on or in connection with any such loan, any charges whether for interest, insurance, compensation, consideration, or expense, which in the aggregate are greater than the interest that the lender would be permitted by law to charge for a loan of money if he were not a licensee under this Act, except as provided in and authorized by this Act, and without first having obtained a license from the supervisor. For the purpose of this section a loan shall be deemed to be in the amount of three hundred dollars ($300) or less if the net amount or value advance to or on behalf of the borrower, after deducting all payments for interest, expenses, and charges of any nature taken substantially contemporaneously with the making of the loan, does not exceed three hundred dollars ($300).

(b) Exemptions. This Act shall not apply to any person doing business under the authority of, and as permitted by, any law of this State or of the United States relating to Banks, Savings Banks, Trust Companies, Savings or Building and Loan Associations, Credit Unions as defined by law nor to any lawful, bona fide pawnbroking business nor shall this Act apply to any person making loans to their tenants engaged in agriculture, nor to loans by agricultural suppliers to persons whose principal business is farming, nor shall it apply to agricultural credit corporations or associations organized under an Act of the Congress of the United States, nor shall it apply to the business of financing the purchase of motor vehicles, refrigerators or other personal property, nor shall this apply to loans insured or guaranteed by the United States or any of its Agencies.

(c) Evasions. The provisions of subsection (a) of this section shall apply to any person who seeks to evade its application by any device, subterfuges, or pretense whatsoever including, but not thereby limiting the generality of the foregoing: the loan, forbearance, use, or sale of credit (as guarantor, surety, endorser, co-maker, or otherwise), money, insurance, goods, or things in action; the use of collateral or related sales or purchases of goods or services, or agreements to sell or purchase, whether real or pretended; receiving or charging compensation for goods or services, whether or not sold, delivered, or provided and the real or pretended negotiation, arrangement, or procurement of a loan through any use of activity of a third person, whether real or fictitious.

(d) Penalty. Whoever violates or participates in the violation of any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500) nor less than one hundred dollars ($100), or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court. Any contract of loan in

the making or collection of which any act shall have been done which violates this section shall be void and the lender shall have no right to collect, receive, or retain any principal, interest, or charges whatsoever.

Section 4. Application and Fee. Application for a license shall be in writing, under oath, and in the form prescribed by the supervisor. The application shall give the approximate location where the business is to be conducted and shall contain such further relevant information as the supervisor may require, including the names and addresses of the partners, officers, directors, or trustees, and of such of the principal owners or members as will provide the basis for the investigations and findings contemplated by Section 5 of this Act. Provided, however, that such application shall contain a statement made by the applicant under oath that he is not at the time of making the application a member of the National Association for the Advancement of Colored People or of the Communist party or any front thereof and that he has not prior to making said application contributed funds to any such organization and that he has never been a member of any such organization. At the time of making such application, the applicant shall pay to the supervisor the sum of one hundred dollars ($100) as a fee for investigating the application. All licensees under this Act shall pay an annual license of two hundred dollars ($200) which shall be due on October 1 of each year and shall be for one year ending September 30 following, and shall be delinquent on the first day of November of each year. And there shall be a penalty of ten percent (10%) added to such license upon delinquency and collected by the bureau. If any applicant licensed under this Act for the first time shall commence business after the first day of April in any year, the amount of the license shall be one-half of the amount of a full year's license. The amount of the license (and penalties if any) shall be paid to the supervisor of the bureau of loans, who shall remit the same to the treasurer of the State of Alabama, as provided by law. The license herein provided for shall be in addition to all other licenses now or hereafter provided for by law, and shall be in addition to the tax provided for by Chapter 18, Title 51, Code of Alabama (1940) as amended; and the amount of the license levied by this section shall not be credited upon or deducted from, in whole or in part, the tax levied by said Chapter 18, as amended, as to the current state tax year or as to any prior or subsequent state tax year. No refunds for the current or any prior or subsequent state tax year or any portion of the tax levied by said Chapter 18, as amended, shall be made on the ground that the license levied by this section was not credited upon or deducted from the tax levied by said Chapter 18, as amended; and no suit or action shall lie to enforce any claim for such refund.

Section 5. (a) Investigation of Application. Upon the filing of such application and the payment of such fees, the supervisor shall investigate the facts concerning the application and the requirements provided for in subsection (b) of this section. The supervisor shall grant or deny such application for a license within ninety days from the filing thereof with the required information and fees unless the period is extended by written agreement between the applicant and the supervisor.

(b) Issuance of License. If the supervisor shall find that the liquid assets, financial responsibility, experience, character, the general fitness of the applicant are such as to warrant the belief that the business will be operated lawfully, honestly, fairly, and efficiently, within the purposes of this Act, and that allowing such applicant to engage in the business would promote the convenience and advantage of the community in which the business of the applicant is to be conducted, he shall thereupon enter an order granting such application, and file his

findings with the bureau, and forthwith issue and deliver a license to the applicant.

(c) Denial of License. If the supervisor shall not so find, he shall notify the applicant in writing who may request a hearing on the application. The request for a hearing must be within thirty (30) days of the rejection with the hearing to be held within thirty (30) days of the date of the request. After such hearing, or, if no hearing is demanded, the supervisor may deny such application by written order, accompanied by his findings of fact, and shall deliver a copy of such order and findings to the applicant. The investigation fee shall be retained by the supervisor while the license fee shall be returned to the applicant.

Section 6. (a) Posting of License. Each license shall state the address at which the business is to be conducted and shall state fully the name of the licensee, and if the licensee is a copartnership or association, the names of the members thereof, and if a corporation, the date and place of its incorporation. Each license shall be kept conspicuously posted in the licensed place of business and shall not be transferable or assignable.

(b) Continuing License. Each license shall remain in full force and effect until surrendered, revoked, or suspended as hereinafter provided.

Section 7. (a) Place of Business. Not more than one place of business shall be maintained under the same license, but the supervisor may issue additional licenses to the same licensee upon his compliance with all the provisions of this Act governing the issuance of the first or original license.

(b) Removal. No change in the place of business of a licensee to a location outside of the original municipality shall be permitted under the same license. When a licensee wishes to change his place of business within the same municipality, he shall give written notice thereof to the supervisor who shall investigate the facts, and if he shall find the proposed location is reasonably accessible to borrowers under existing loan contracts, he shall enter an order permitting the change and shall amend the license accordingly. If the supervisor shall not so find he shall enter an order denying the licensee such permission in the manner specified in and subject to the provisions of Section 5 (c) of this Act.

(c) Residence of Borrower. Nothing in this Act shall be construed to restrict the loans of any licensee to residents of the community in which the licensed place of business is situated.

Section 8. (a) Revocation of License. The supervisor shall, upon ten days' written notice to the licensee stating the contemplated action and in general the grounds therefor, and upon reasonable opportunity to be heard, revoke any license issued hereunder if he finds that:

1. The licensee has failed to pay the annual license fee; or that

2. The licensee, either knowingly or without the exercise of due care to prevent the same, has violated any provisions of this Act or any regulation or order lawfully made pursuant to and within the authority of this Act; or that

3. Any fact or condition exists which, if it had existed or had been known to exist at the time of the original application for such license, clearly would have justified the supervisor in refusing original-

ly to issue such license, except the license shall not be revoked because of convenience and advantage; or that

4. The licensee is found guilty by the supervisor of using unreasonable collection tactics.

(b) Suspension of License. If the supervisor finds that probable cause for revocation of any license exists and that enforcement of the Act requires immediate suspension of such license pending investigation, he may, upon three days' written notice and a hearing, enter an order suspending such license for a period not exceeding thirty days.

(c) Records and Notice. Whenever the supervisor shall revoke or suspend a license issued pursuant to this Act, he shall enter an order to that effect and forthwith notify the licensee of the revocation or suspension. Within five days after the entry of such an order he shall file with the bureau his fidings and a summary of the evidence supporting them, and he shall forthwith deliver a copy thereof to the licensee.

(d) Surrender of License. Any licensee may surrender any license by delivering it to the supervisor with written notice of its surrender, but such surrender shall not effect his civil or criminal liability for acts committed prior thereto.

(e) Pre-Existing Contracts. No revocation, suspension or surrender of any license shall impair or affect the obligation of any pre-existing contract between the licensee and any borrower.

(f) Reinstatement of License. The supervisor may reinstate suspended licenses or issue new licenses to a person whose license or licenses have been revoked if no fact or condition then exists which clearly would have justified the supervisor in refusing originally to issue such license under this Act.

(g) Complaints of Violation Investigated. The supervisor shall, upon sworn complaint of any borrower, investigate or cause to be investigated any alleged violation of this Act.

Section 9. (a) Annual Examinations of Licensees. At least once each year and at such other time as may be deemed necessary by the supervisor of the bureau of loans an examination shall be made of the place of business of each licensee and of the loans, transactions, books, papers and records of such licensee so far as they pertain to the business licensed under this Act. As cost of examination the licensee shall pay to the bureau of loans under such rules and regulations as may be reasonably prescribed by the supervisor thereof with the approval of the superintendent of banks an examining fee of fifty dollars ($50) per day or any part thereof for each examiner and in addition thereto ten dollars ($10) per day per examiner as per diem; provided, however, that no licensee whose business is free from willful violations of this Act shall be required to pay more than a total sum of four hundred dollars ($400) in any twelve (12) month period as examiners fees; provided, further, that all fees collected by the bureau of loans under the terms of this section shall be paid into a special fund to be set up by the State Treasury; the special fund shall be used to pay the salaries of the officials and employees and the expenses of the bureau of loans, and all moneys deposited therein are hereby appropriated for that purpose; provided, however, nothing herein shall be construed to mean that all salaries of the officials and employees and expenses of operating the bureau of loans shall come from the special fund.

(b) Investigations. For the purpose of discovering violations of this Act or of securing information lawfully required hereunder, the

supervisor or his duly authorized representatives may at any time investigate the business and examine the books, accounts, papers, and records used therein, of (1) any licensee, (2) any other person engaged in the business described in Section 3 (a) of this Act or participating in such business as principal, agent, broker, or otherwise, and (3) any person who the supervisor had reasonable cause to believe is violating or is about to violate any provision of this Act, whether or not such person shall claim to be within the authority or beyond the scope of this Act. For purposes of this section, any person who shall advertise for, solicit, or hold himself out as willing to make loan transactions in the amount or of the value of three hundred dollars ($300) or less shall be presumed to be engaged in the business described in Section 3 (a) of this Act.

(c) Access to Records: Witnesses. For the purposes of this section, the supervisor or his duly authorized representatives shall have and be given free access to the offices and places of business, files, safes, and vaults of all such persons, and shall have authority to require the attendance of any person and to examine him under oath relative to such loans or such business or to the subject matter of any examination, investigation, or hearing.

(d) Cease and Desist Orders: Injunctions; Receivers. Whenever the supervisor has reasonable cause to believe that any person is violating or is threatening to or intends to violate any provision of this Act, he may in addition to all actions provided for in this Act, and in addition to all other remedies that he may have at law or in equity, and without prejudice thereto enter an order requiring such person to desist or to refrain from such violation; and an action may be brought on the relation of the Attorney General or the supervisor to enjoin such person from engaging in or continuing such violation or from doing any act or acts in furtherance thereof. In any such action, an order or judgement may be entered awarding such preliminary or final injunction as may be deemed proper. In addition to all other means provided by law for the enforcement of a restraining order or injunction, the court in which such action is brought shall have power and jurisdiction to impound, and to appoint a receiver for the property and business of the defendant, including books, papers, documents, and records pertaining thereto or so much thereof as the court may deem reasonably necessary to prevent violations of this Act through or by means of the use of said property and business. Such receiver, when appointed and qualified, shall have such powers and duties as to custody, collection, administration, winding up, and liquidation of such property and business as shall from time to time be conferred upon him by the court.

Section 10. (a) Books and Records. Each licensee shall keep and use in his business such books, accounts, and records as will enable the supervisor to determine whether such licensee is complying with the provisions of this Act and with the orders and regulations lawfully made by the supervisor hereunder. Each licensee shall preserve such books, accounts, and records for at least two years after making the final entry on any loan recorded therein.

(b) Annual Reports. (1) Each licensee shall annually, on or before the first day of May, file a report with the supervisor as to each licensed place of business under this Act, covering the preceding calendar year. This report shall include the following information, all reported in accordance with sound and generally accepted accounting practice;

(a) Balance sheets at the beginning and end of the period.

(b) A statement of income and expense for the period.

(c) A reconciliation of surplus or net earning with the balance sheets.

(d) A schedule of assets used and useful in the business.

(e) An analysis of charges, sizes of loans and types of security on loans and an analysis of delinquent accounts.

(f) An analysis of suits, repossessions and sales of chattels.

(g) The type of business organization and if the licensee is a corporation, the principal officers and the resident agent, the partners, if the licensee is a partnership or, the owner, if a sole proprietorship.

(2) If the licensee conducts other business or is affiliated with other licensees under this Act, or, if any other situation exists under which allocations are necessary, the licensee shall make such allocation according to appropriate and reasonable methods.

(3) If the licensee is affiliated with other licensees under this Act, a composite report may be filed on behalf of all affiliated licensees within the State of Alabama, but such composite report shall not be required by the supervisor.

(4) Such report shall be made under oath and shall be in the form prescribed by the supervisor who shall make and publish annually an analysis and recapitulation of such reports.

Section 11. (a) Rules, Regulations and Orders. The supervisor shall have authority to make reasonable rules, regulations and orders for the administration and enforcement of this Act, in addition hereto and not inconsistent herewith. Such regulation or order shall be referenced to the section or sections of the Act which set forth the legislative standard which it interprets or to which it applies. Every regulation shall be promulgated by an order, and any ruling, demand, requirement, or similar administrative act may be promulgated by an order. Every order shall be in writing, shall state its effective date and the date of its promulgation, and shall be entered in an indexed permanent book which shall be a public record. A copy of every order promulgating a regulation and of every other order containing a requirement of general application shall be mailed to each licensee at least ten days before the effective date thereof. The failure of a licensee to receive a copy of the regulations shall not exempt him from the duty of compliance with the valid regulations lawfully issued.

(b) Certified copies of Official Documents. On application of any person and payment of the costs thereof, the supervisor shall furnish, under his seal and signed by him or his deputy, a certified copy of any license, regulation, or order. In any court or proceeding such copy shall be prima facie evidence of the fact of the issuance of such license, regulation or order.

Section 12. (a) Advertising. No licensee or other person subject to this Act shall advertise, display, distribute, or broadcast or cause to permit to be advertised, displayed, distributed, or broadcast, in any manner whatsoever, any false, misleading, or deceptive statement or representation with regard to the rates, terms, or conditions for loans in the amount or of the value of three hundred dollars ($300) or less. The supervisor may require that charges or rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may

deem necessary to prevent misunderstanding thereof by prospective borrowers. The supervisor may permit or require licensees to refer in their advertising to the fact that their business is under state supervision, subject to conditions imposed by him to prevent an erroneous impression as to the scope or degree of protections provided by this Act.

(b) Schedule of Charges. Each licensee shall prominently display in each licensed place of business a full and accurate schedule of the rates of charge upon all classes of loans currently to be made by him.

Section 13. (a) Other Business in Same Office. No licensee shall conduct the business of making loans under this Act within any office, suite, room or place of business in which any other business is solicited or engaged in or in association or conjunction with any other business until three days' written notice of an intention so to do has been given the supervisor. Upon receipt of written notification, the supervisor may investigate the facts and, if he finds that the character of the licensee and the nature of the other business warrant belief that such conduct of business would conceal violation or evasion of this Act or of regulations lawfully made hereunder, he shall enter an order directing the licensee to discontinue said other business. The order shall be entered in the manner specified in and subject to the provisions of Section 5 (c) of this Act.

(b) Business Confined to Licensed Office. No licensee shall conduct the business of making loans provided for by this Act under any name, or at any place of business within this state, other than that stated in the license. Nothing herein shall prevent the making of loans by mail nor prohibit accommodations to individual borrowers when necessitated by sickness or other emergency situations.

(c) Liens on Real Estate. No licensee shall take a lien upon real estate as security for any loan made under this Act, except such lien as is created by law through the rendition or recording of a judgment.

Section 14. (1) Maximum Rates of Interest and Charge. Every licensee hereunder may contract for and receive interest on any loan of money not exceeding three hundred dollars ($300) an amount at a rate not exceeding 3% a month on that part of the unpaid principal balance not in excess of two hundred dollars ($200), two per cent a month on that part of the unpaid principal balance in excess of two hundred dollars ($200) but not exceeding three hundred dollars ($300).

(2) Charges on Loans of Seventy-five Dollars ($75) or Less. On a cash advance of seventy-five dollars ($75) or less a licensee may charge, in lieu of charges specified in subsection (1) of this section, not in excess of one dollar ($1) for each five dollars ($5) of cash advanced to the borrower, up to the amount of seventy-five dollars ($75); and a period of at least fifteen (15) days must be allowed for the repayment of each five dollars ($5) of the cash advanced, such charges cannot be assessed by any subterfuge or device on any loan over seventy-five dollars ($75) or on any balance of seventy-five dollars ($75) or less when the original cash advanced was greater than seventy-five dollars ($75).

(3) (a) Method of Computing Charges . Interest or charges on loans made under this Act shall not be paid, deducted, discounted or received in advance or compounded but the rate of charge authorized by this Section may be precomputed as provided in Paragraph B of this sub-section. For the purpose of this Section one month shall be

that period of time from any date in a month to a corresponding date in the next month and if there is not such corresponding date then to the next day of the next month and a day shall be considered 1/30 of a month when computation is made for a fraction of a month.

(b) When the loan contract requires repayment in substantially equal and consecutive monthly installments of principal and charges or interest combined, the charges or interest may be precomputed at the agreed monthly or periodic rate not in excess of that provided for in sub-section 1 or 2 of this Section on scheduled unpaid principal balances according to the terms of the contract and added to the principal of the loan. Every payment may be applied to the combined total of principal and precomputed charge until the contract is fully paid. The acceptance or payment of charges on loans made under the provisions of this sub-section shall not be deemed to constitute payment, deduction or receipt thereof in advance nor compounding under Paragraph 1 above.

(4) (a) Refund. When any loan contract is paid in full by cash, a new loan, renewal or otherwise, one month or more before the final installment date, the licensee shall refund or credit the borrower with that portion of the total charges which shall be due the borrower as determined by schedules prepared under the rule of 78ths or sum of the digits principle as follows. The amount of the refund or credit shall be as great a proportion of the total charges originally contracted for as the sum of the periodic time balances of the contract scheduled to follow the date of pre-payment bears to the sum of all the periodic time balances of the contract, both sums to be determined according to the payment schedule originally contracted for.

(B) If the loan contract is not prepaid in full but becomes partially prepaid in an amount equal to three or more installments, the licensee shall reduce the balance due by the amount that would be required to be refunded for prepayment in full on the date of such partial prepayment and compute charges as payments are made thereafter in the manner prescribed in Paragraph 1 of sub-section 3 hereof or the licensee may with the consent of the borrower reschedule the remaining installments and precompute charges as prescribed in Paragraph 2 of sub-section 3 hereof.

(5) Default or Extension Charges. If the contract so provides, the additional charge for any installment past due fifteen (15) or more days, whether by reason of default or extension agreement, may be three per cent (3%) of the installment past due and said amount may be charged once and no more. It is the intent of this sub-section that if the payment date of all wholly unpaid installments is deferred or extended one or more full months and the contract so provides the licensee may charge and collect a deferment or default charge only on the installment which is delinquent at the date the contract is extended or deferred.

(6) In addition to the general authority granted to him by Section 11 (a) of this Act, the Supervisor shall have power and authority to make such rules and regulations as he may deem necessary or advisable to insure that rebates, default charges and deferment charges are so computed, paid to, or collected from borrowers that the total charges collected by licensees under Paragraph B of subsection (3) hereof are substantially equivalent to charges authorized to be collected by licensees under paragraph (1) or (2) of this subsection.

(7) Recording Fees. The licensee may collect from the borrower the actual fees paid a public official, or agency of the State, for filing, recording or releasing any instrument securing the loan.

(8) No Further Charge, No Splitting Contracts, Certain Contracts Void. No further or other charges shall be directly or indirectly contracted for or received by any licensee, including insurance premiums of any kind, except those specifically authorized by this Act. No licensee shall divide into separate parts any contract made for the purpose of or with the effect of obtaining charges in excess of those authorized by this Act. All balances due to a licensee from any person, as a borrower, or as an endorser, guarantor or surety for any borrower or otherwise, or due from any husband or wife, jointly or severally, shall be considered a part of any loan being made by a licensee to such person for the purpose of computing charges. If any amount in excess of the charges permitted by this Act is charged, contracted for, or received, except as the result of an accidental and bona fide error of computation, the contract of loan shall be void and the licensee shall have no right to collect or receive any cash advance, charges or recompense whatsoever; and the licensee and the several members, officers, directors, agents and employees thereof who shall have participated in such violation, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars ($500) and not less than one hundred dollars ($100) or by imprisonment of not more than six months, or by both such fine and imprisonment, in the discretion of the court. Any borrower may recover the full amount of principal and charges paid by him on any contract made in violation of this section, together with a reasonable attorney fee, by action at law or in equity brought within twelve months from the date of the last payment of principal or charges on such contract.

(9) Installment Payment, Contract Period. No licensee shall enter into any contract of loan under this Act in which the borrower agrees to make any schedule repayment of the cash advance more than twenty-five (25) calendar months from the date of making such contract of loan. Every loan contract shall require payment of the cash advance and charges in installments which shall be payable at approximately equal periodic intervals except that payment dates may be omitted to accommodate borrowers with seasonal incomes. No installment contracted for shall be substantially larger than any preceding installment.

(10) Interest as provided in this Act shall not accrue or be recovered or charged on any loan made under this Act for any longer than six months after the due date of the final installment of principal or interest. After the expiration of said six months period interest may be charged at a rate not to exceed eight per cent per annum.

(11) No licensee shall induce or permit any person, or any husband and wife jointly or severally, to become obligated directly or contingently, or both, under more than one contract of loan at the same time, for the purpose of obtaining a higher rate of charge than would otherwise be permitted by this section. And it shall be unlawful for any licensee to evade, or attempt to evade this section by inducing a customer to borrow from another loan company in which he has a pecuniary interest or with whom he has an arrangement for exchange of customers.

Section 15. (a) Requirements for Making and Payment of Loans. Every licensee shall:

1. At the time a loan is made deliver to the borrower or if there be two or more borrowers, to one of them a copy of the loan contract, or a written statement in the English language showing in clear and distinct terms:

(i) The name and address of the lender and one of the primary obligors on the loan;

(ii) The date of the loan contract;

(iii) Schedule of installments or description thereof;

(iv) The cash advance;

(v) The face amount of the note evidencing the loan;

(vi) The amount collected or paid for insurance, if any;

(vii) The amount collected or paid for filing or other fees allowed by this Act;

(viii) The collateral or security for the loan.

2. Give to the person making any cash payment on account of any loan a receipt at the time such payment is made which receipt need only show the total amount of such cash payment. No receipt shall be required in the case of payments made by the borrower's check or money order, and the use of a coupon book system shall be deemed in compliance with this section.

3. Permit the payment to be made in advance in any amount on any contract of loan at any time during a licensee's regular business hours.

4. Upon repayment of the loan in full, mark plainly every obligation and security signed by any obligor with the word "Paid" or "Cancelled," and release any mortgage, restore any pledge, and cancel and return any note and any assignment given to the licensee.

(b) Confessions of Judgment; Incomplete Instruments. No licensee shall (1) take any confession of judgment or any power of attorney running to himself or to any third person to confess judgment or to appear for the borrower in a judicial proceedings; nor (a) take any note, promise to pay that does not disclose the total amount to be repaid, a schedule of payments or a description thereof, and the agreed rate or aggregate amount of charge, nor any instrument in which blanks are left to be filled in after execution.

5. Every loan contract shall provide for repayment of principal and charges at approximate equal periodic intervals of time of which shall be so arranged that no installment is substantially greater in amount than any preceding installment.

6. Any contract of loan in the making or collection of which any provision of this section shall have been violated, either knowingly or without the exercise of due care to prevent the same shall be void and the licensee shall have no right to collect, receive or retain any principal, charges or recompense whatsoever.

Section 16. Additional Security for Loans.

(1) On loans in amounts of one hundred dollars ($100) or more, a licensee may accept as additional security for a loan, insurance written on the life of one of the principal obligors under the loan contract. Such insurance must be reasonably related to the hazard or risk of the loan and must not exceed the term of the loan or the approximate amount of the indebtedness at any time during the life thereof.

(2) The premium, or identifiable charge, collected by licensee or its officers, agents or employees on life insurance shall not exceed the lowest premium or identifiable charge for such insurance as filed with and approved by the insurance commissioner of the State of Alabama by a company licensed to do business in the State of Alabama and writing such insurance; provided, however, that in no event shall the premium or identifiable charge exceed 75c per annum for each $100 of life insurance.

(3) Every insurance policy or certificate written in connection with the loan transaction shall provide for cancellation of the coverage and a refund of the unearned premium or identifiable charge upon the discharge of the loan obligation for which such insurance is security, without prejudice to any claim. Such refund shall be made under a formula filed by the insurer with the department of insurance except no refund of less than $1.00 need be made.

(4) In accepting such insurance as security for the loan, the licensee, or an employee, may deduct the premiums or identifiable charge for such insurance from the proceeds of the loan and transmit them to the insurance company.

(5) Any gain or advantage in the form of commission or otherwise, to the licensee or to any employee, affiliate or associate of the licensee from such insurance or its sale shall not not be considered an additional or further charge in connection with the loan.

(6) All such insurance shall be written by a company authorized to conduct business in this state and the licensee shall not require the purchase of such insurance from any agent or broker designated by the licensee, nor shall the licensee decline existing coverages which equal or exceed the standards of this section; provided further, that all other types of insurance are hereby specifically prohibited.

Section 16½. Loans of More Than Three Hundred Dollars ($300). If a licensee makes a loan in excess of three hundred dollars ($300), the charges authorized by this Act shall not apply to any part of the loan. The rates on the entire amount of the loan shall be governed by Section 60 or 61 of Title 9, Code of Alabama, 1940, as amended. The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or as endorser, guarantor, or surety for any borrower, or otherwise or any husband and wife jointly or severally, to owe directly or contingently, or both, to the licensee at any time a sum of more than three hundred dollars ($300) for principal. The supervisor may suspend or revoke the license of any licensee who violates this section, in the manner prescribed by Section 8 of this Act, and the penalties provided for in Section 23 (c) of this Act shall apply to any person, firm or corporation violating this section.

Section 17. Loans Made Elsewhere. Any loans made outside this state in accordance with the law applicable to such loan in the state in which the loan was made may be collected in this state.

Section 18. Review. In addition to any other remedy he may have, any licensee and any person considering himself aggrieved by any act or order of the supervisor hereunder may, within thirty days from the entry of the order complained of, or within sixty days of the act complained of if there is no order, petition the circuit court of Montgomery County to review such act or order; provided such petition shall be docketed, heard and tried in the same manner as other extraordinary writs issued by the court and a copy of the petition and order setting

the same for hearing shall be served on the supervisor, giving him such notice of the time and place of the hearing as may be directed by the court.

Section 19. Suits on Debts. In any suit filed on any debt or evidence of any indebtedness governed hereby in any court, the judge thereof shall not render any judgment by default, nil dicit or otherwise until he had heard the testimony of the licensee or of a representative of such licensee, and the judge must on his own motion interrogate such licensee or such other witness to determine whether there has been any violation of the provisions of this Act and whether any charges have been contracted for, made or received in excess of the amount allowed under this Act. If it be made to appear that the provisions of this Act have been violated or that charges in excess of those allowed have been contracted for, made or received, then the suit shall be dismissed at the cost of the plaintiff. In any such suit the plaintiff must allege that he is a licensee under this Act, and if such plaintiff is subject to this Act and fails to allege in his complaint that he is a licensee hereunder, or if it is shown to the court that he is subject to this Act and is not a licensee then the court ex mero motu shall dismiss the suit at the cost of the plaintiff. No garnishment shall issue in such suit or in connection therewith until after judgment has been rendered.

Secton 20. Pre-Existing Contracts. This Act or any part thereof may be modified, amended, or repealed so as to effect a cancellation or alteration of any license or right of a licensee hereunder, provided that such cancellation or alteration shall not impair or affect the obligation of any pre-existing lawful contract between any licensee and any borrower.

Section 21. Status of Pre-Existing Licensees. Any person having a license under Act No. 159, H. 233, approved June 23, 1945, (General Acts of Alabama, 1945, page 200), as amended, in force when this Act becomes effective, or had such a license in effect on September 30, 1959, shall be deemed to have a license under this Act for a period expiring six months after the effective date hereof, if not sooner revoked. Any such license so continued in effect under the provisions of this Act shall be subject to revocation during such six months' period as provided in Section 8 of this Act; except that such license may not be revoked nor shall an application for a new license be denied upon the ground that the convenience and advantage of such community will not be promoted by the operation therein of such business.

Section 22. Records (a) The supervisor shall cause to be kept on file in the bureau of loans, open to public inspection during business hours, an alphabetical listing of all licensees doing business in Alabama; and such list shall reveal the true ownership of the licensee companies. If the company is a corporation, the list shall indicate the name of the corporation, the address of the home office, and the names and addresses of its officers and directors.

(b) Except as provided in subsection (a) of this section, all applications, reports, and other papers and documents submitted by licensees to the supervisor or to the bureau shall be open to public inspection only upon approval of the supervisor; but the supervisor shall not deny any person access to such records when the disclosure thereof to such person is in the public interest.

Section 23. (a) Repealer. The provisions of Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200), as

amended, in conflict herewith are hereby repealed. And all other laws or parts of laws which conflict with this Act are also repealed. But such repeal shall not be considered an abolition of the bureau of loans, whose existence is hereby continued as a state agency, for the purpose of administering and enforcing this Act.

(b) Status of Pre-Existing Obligations. Nothing herein contained shall be so construed as to impair or affect the obligation of any contract of loan between any licensee under Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200), as amended, and any borrower which was entered into prior to the effective date of this Act.

(c) Any person, firm, corporation or association who shall wilfully violate any of the provisions of this Act for which a specific penalty is not herein specifically provided shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars ($500), nor less than one hundred dollars ($100), or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court.

Section 24. If a part of this Act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of the Act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 25. Citation of Act. This Act shall be known and may be cited as the "Alabama Small Loan Act."

Section 26. Effective Date. This Act shall become effective 60 days after its passage and approval by the Governor, or 60 days after its otherwise becoming a law.

Respectfully submitted,

VAUGHAN HILL ROBISON,
Chairman.

DOUGLAS S. WEBB
JOE W. GRAHAM
Conferees on the Part of the Senate

VIRGIS M. ASHWORTH
A. L. (PAT) BOYD
BOB GILCHRIST,
Vice Chairman
Conferees on the Part of the House

And said bill:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

As amended by the report of the Committee on Conference was again read at length and passed by a vote of Yeas 84, Nays 5.

And said Report of the Committee on Conference is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

Mr. Webb moved that the Senate non-concur in the report of the Committee on Conference on the disagreement of the two Houses on H. B. 102, as amended, and request another Committee on Conference.

Mr. Robison moved, as a substitute motion, that the Senate concur in and adopt the report of the Committee on Conference.

MOTION TO RECESS LOST

At 7:18 P.M., Mr. Roberts moved that the Senate take a recess for 15 minutes, which motion was lost.

Yeas 5; Nays 16.

Yeas:

Messrs.: Barnett, Crawford, Golson, Roberts and Robison —5

Nays:

Messrs.:	Farmer	Hines	Shelton
Berryman	Givhan	Jones	Webb
Cooper	Graham	Kendall	Wilson
deGraffenried	Haltom	Samford	Word
Dumas			

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FURTHER CONSIDERATION OF CONFERENCE REPORT

The Senate proceeded to further consideration of the report of the Committee on Conference on the disagreement of the two Houses on H. B. 102, as amended.

The question was on the motion of Mr. Robison that the Senate concur in and adopt the report of the Committee on Conference.

MOTION TO RECONSIDER

Mr. Cooper moved that the Senate reconsider the vote by which it refused to adopt the motion of Mr. Roberts to recess for 15 minutes. The Senate did reconsider said vote, and, at 7:27 P.M., the Senate took a recess until 7:42 P.M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Boutwell, President and Presiding Officer of the Senate.

ROLL CALL

Present:

Messrs.:	Crawford	Godfrey	Kendall
Andrews	deGraffenried	Golson	Leonard
Archer	Dumas	Graham	Moses
Barnett	Eddins	Green	Porter
Berryman	Farmer	Haltom	Roberts
Caffey	Gaither	Hines	Robison
Cooper	Givhan	Jones	Rutledge

Samford	Turner	Wilson	Wyatt	
Shelton	Webb	Word		—34

FURTHER CONSIDERATION OF CONFERENCE REPORT

The Senate proceeded to further consideration of the report of the Committee on Conference on the disagreement of the two Houses on H. B. 102, as amended.

The question was on the motion of Mr. Robison that the Senate concur in and adopt the report of the Committee on Conference.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Dodd:

H. 1130. To amend Act No. 25 adopted at the 1959 First Special Session of the Legislature of Alabama entitled "An Act relating to Lawrence County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 25 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified, the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 25 and the exemptions and other provisions applicable to said excise tax shall parallel, although at the rates herein specified, the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said State Use Tax; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attach-

ments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax with respect to the sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO
APPLY FOR PASSAGE OF
LOCAL ACT

Notice is hereby given that application will be made to the Legislature of Alabama for passage of a local bill reading substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 25 adopted at the 1959 First Special Session of the Legislature of Alabama entitled "An Act relating to Lawrence County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying on excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 25 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified, the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 25 and the exemptions and other provisions applicable to said excise tax shall parallel, although at the rates herein specified, the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the

Code of Alabama, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said State Use Tax; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax with respect to the sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 25 adopted at the 1959 First Special Session of the Legislature of Alabama and entitled "An Act relating to Lawrence County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes" is hereby amended so that the said title shall read as follows: "An Act relating to Lawrence County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county; of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein lev-

ied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to person subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes."

Section 2. Section 1 of the said Act No. 25 adopted at the 1959 First Special Session of the Legislature of Alabama shall be and hereby is amended so that the said Section I shall read as follows:

"Section 1. Meaning of Terms Used in This Act. The following words, terms and phrases were used in this act shall have the following respective meanings, except where the context clearly indicates a different meaning: 'This State' means the State of Alabama; 'Lawrence County' means Lawrence County in this State; 'State Sales Tax statutes' means Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama; 'State Sales Tax' means the tax imposed by the State Sales Tax statutes; 'State Use Tax statutes' means Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940 as the said Article 11 had been last amended on September 1, 1959, and as it existed on said date; 'State Use Tax' means the tax imposed by the State Use Tax statutes; 'registered seller' means the person registered with the State Department of Revenue pursuant to Section 790 of Title 51 of said Code, as heretofore amended; 'month' means a calendar month; 'quarterly period' means the period of three months ending on the last day of each March, June, September, or December; and 'fiscal years' means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year. In addition to the foregoing definitions, all words, terms and phrases that are defined in the State Sales Tax statutes or in the State Use Tax statutes shall, where used in this act, have the meanings respectively ascribed to them in the State Sales Tax statutes or in the State Use Tax statutes as the case may be, except where the context herein clearly indicates a different meaning."

Section 3. Section 2 of the said Act No. 25 adopted at the 1959 First Special Session of the Legislature of Alabama is hereby amended so that the said Section 2 shall read as follows:

"Section 2. Levy of License Tax Measured by Gross Sales or Gross Receipts. There is hereby levied in Lawrence County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

"(a) Upon every person, firm or corporation (including The Board of Trustees of the University of Alabama, The Alabama Polytechnic Institute, and all other institutions of higher learning in the State, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of any such institution) engaged or continuing, within Lawrence County, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1%) of the gross

proceeds of sales of the business except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business;

"(b) Upon every person, firm or corporation engaged on continuing, within Lawrence County, in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within this State, or any athletic association thereof or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Lawrence County, an amount equal to one per cent (1%) of the gross receipts of any such business;

"(c) Upon every person, firm or corporation engaged or continuing within Lawrence County in the business of selling at retail machines used in the mining, quarrying, compounding, processing and manufacturing tangible personal property, and the parts of such machines and attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, and which are necessary to the operation of such machines and are customarily used in the operation thereof, an amount equal to one-half of one per cent (½ of 1%) of the gross proceeds of the sale of such machines, parts, attachments and replacements; and

"(d) Upon every person, firm, or corporation engaged or continuing, within Lawrence County, in the business of selling at retail any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-half of one per cent (½ of 1%) of the gross proceeds of the sale of said automotive vehicle, or truck trailer and semi-trailer; provided, that where any used automotive vehicle, used truck trailer, or used semi-trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax herein levied shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade;
provided, that there are exempted from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the State Sales Tax statutes from computation of the amount of the State Sales Tax."

Section 4. Section 3 of the said Act No. 25 adopted at the 1959 First Special Session of the Legislature of Alabama is here amended so that the said Section 3 shall read as follows:

"Section 3. Levy of Excise Tax on Use, Storage and Consumption of Tangible Personalty. An excise tax is hereby imposed on

"(a) The storage, use or other consumption in Lawrence County of tangible personal property purchased at retail, on or after the first day of _____, 19____ (the date to be inserted here will be the first day of the month succeeding the month during which this bill becomes law), for storage, use or other consumption in Lawrence County, at the rate of one per cent (1%) of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Lawrence County or in this State, except as provided in subsections (b) and (c) of this section;

"(b) The storage, use or other consumption in Lawrence County of any machine used in the mining, quarrying, compounding, processing and manufacturing of tangible personal property, including the parts of such machines and attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines, purchased at retail on or after the first day of _____, 19____ (the date to be inserted here will be the first day of the month succeeding the month during which this bill becomes law), for storage, use or other consumption in Lawrence County, at the rate of one-half of one per cent (½of 1%) of the sale price of such machine, parts, attachments, or replacements; and

"(c) The storage, use or other consumption in Lawrence County of any automotive vehicle, truck trailer or semi-trailer purchased at retail on or after the first day of _____, 19__ (the date to be inserted here will be the first day of the month succeeding the month during which this bill becomes law), for storage, use or other consumption in Lawrence County, at the rate of one-half of one per cent (½ of 1%) of the sales price of such automotive vehicle, truck trailer, or semi-trailer; provided, that where any used automotive vehicle or used truck trailer or used semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade;

provided, however, that there are exempted from the provisions of this section and the tax imposed in this section the storage, use or other consumption of property the storage, use or other consumption of which are presently exempted under the State Use Tax statutes from the State Use Tax. Subject to the exemptions provided for in the preceding sentence, every person storing, using or otherwise consuming in Lawrence County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the said tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given, pursuant to Section 5 of this act, to the purchaser of any property to be used, stored or consumed in Lawrence County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer."

Section 5. Severability Clause. In the event any section, sentence, clause or portion of this act should be declared invalid by any court of competent jjurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this act, which shall continue effective.

Section 6. Effective Date of Act. This act shall become effective on the first day of _____, 19____ (the date to be inserted here will be the first day of the month succeeding the month during which this bill becomes law).

STATE OF ALABAMA,
LAWRENCE COUNTY.

Before me a Notary Public, in and for said State and County, personally appeared Arthur F. Slaton, publisher of The Moulton Advertiser, a newspaper published in said State and County, who being sworn according to law, deposes and says that, the legal notice, copy of which is herewith attached, was duly published in The Moulton Advertiser for 4 consecutive weekly issues beginning with the issue of October 8, 1959 and ending with the issue of October 29, 1959.

ARTHUR F. SLATON

Subscribed and sworn to before me, this the 29 day of October, 1959 at Moulton, Alabama.

BETTY S. DYAR,
Notary Public.

My commission expires 5-29-63.

Also:

By Mr. Bishop:

H. 1131. To amend Act No. 243, House Bill 685, approved August 13, 1957, (Acts of Alabama 1957, Page 308), Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determing whether or not the county body may levy an additional county privilege or excise tax on tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA,
COUNTY OF COLBERT.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 243, House Bill 685, approved August 13, 1957, (Acts of Alabama 1957, Page 308), Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county

body may levy an additional county privilege or excise tax on tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining and operating a public hospital in the county; and prescribing penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 243, House Bill 685, approved August 13, 1957, (Acts of Alabama, 1957, Page 308), is amended by adding the following sentence at the end of the said Section 3, "Cigars packaged in quantities of two or more and not less or not more than ten shall have stamps in denominations to the amount of the tax affixed to the box, package or container in which they are packaged."

Section 2. Section 6 is amended as follows:

"Section 6 (A). After the tax herein authorized has been levied in accordance with the provisions of this Act, no person, firm or corporation shall sell, store, or distribute tobacco or tobacco products, which are subject to such tax, without complying with the provisions of this Act and the rules and regulations promulgated and adopted by the county governing body pursuant thereto, and paying any and all tax which such person, firm or corporation may be liable under this Act. Every person, firm, or corporation selling, storing, or distributing in Colbert County any tobacco or tobacco products shall keep such books, documents, papers, and other such records as will enable the county governing body, or an authorized employee thereof, to determine the amount of the tax due the county under this Act and such records shall at all reasonable times be open to inspection by the county governing body, or any officer or employee thereof charged with the duty of collecting and enforcing the tax, and such person, firm or corporation shall make available to the county governing body or any authorized officer, agent or employee thereof all stocks of tobacco products as defined in this act which may be in possession of the person, firm or corporation, at all reasonable times in order to enable the said county governing body or any authorized officer, agent, or employee thereof charged with the duty of collecting and in forcing the tax, to inspect the said goods to determine if the proper stamps as provided by this Act are affixed to the said tobacco or tobacco products as provided by this Act.

(B). Any tobacco or tobacco products taxable under the provisions of this act, found at any point within Colbert County, Alabama, which said tobacco or tobacco products taxable under the provisions of this act, not having affixed to the package or product, as above defined, the stamps as above provided are hereby declared to be contraband goods and the same may be seized by the officer or employee of the County governing body charged with the duty of collecting and enforcing the tax, without a warrant and the said goods shall be delivered to the county governing body of Colbert County, Alabama for sale at public auction to the highest bidder after due advertisement, but the county governing body before delivering any of said goods so seized, shall require the purchaser to affix the proper amount of stamps to the individual package or product as above defined. The proceeds of sale for any goods sold hereunder shall be

turned over to the County Treasury, and shall be appropriated for the purposes as set out in Section 7 of this act; Provided, that the cost of confiscation and sale shall be paid out of the proceeds derived from such sale before making remittance to the treasurer.

(C). In all cases of seizure of any tobacco or tobacco products, or other property hereafter made as being subject to forfeiture under provisions of this subdivision which in the opinion of the officer, or person making the seizure, are of the appraised value of fifty dollars, or more, the said officer or person shall proceed as follows; First, he shall cause a list containing a particular description of the goods, wares, merchandise, or other property seized to be effected. Second, if the said goods prepared in duplicate and an appraisers to be selected by him, who shall be respectable and disinterested citizens of the State of Alabama, residing within the Colbert County. Said list and appraisement shall be properly attested by said officer, or person, and the said appraisers, for which service each of said appraisers shall be allowed the sum of one dollar per day, not exceeding two days, to be paid by the County governing body out of any revenue received by it from the sale of the confiscated goods or the compromise which may be effected. Second, if the said goods are believed by the officer making the seizure to be of value of less than fifty dollars, no appraisement shall be made. The said officer, or person, shall proceed to post a notice for three weeks, in writing at three places in the county where the seizure was made, describing the articles and stating the time and place and cause of their seizure and requiring any person claiming them to appear and make such claim in writing within thirty days from the date of the first posting of such notice. Third, any person claiming the said tobacco or tobacco products, or other property so seized as contraband within the time specified in the notice, may file with the county governing body a claim in writing, stating his interest in the articles seized, and may execute a bond to the county governing body in a penal sum equal to double the value of said goods so seized, but in no case shall said bond be less than the sum of two hundred dollars, with sureties to be approved by the Chairman of the Board of Revenue of Colbert County, conditioned that in the case of condemnation of the articles as seized, the obligors shall pay to the county governing body the full value of the goods so seized and all costs and expenses of the proceedings to obtain such condemnation, including a reasonable attorney's fee. And upon the delivery of such bond to the county governing body, it shall transmit the same with the duplicate list or description of the goods seized to the solicitor of the Colbert Circuit Court, and the said solicitor shall filed a bill in the Circuit Court in equity to secure the forfeiture of said tobacco or tobacco products or other property. Upon the filing of the bond aforesaid and said goods shall be delivered to the claimant pending the outcome of said case; provided, however, said goods must have the proper stamps affixed to each such article of tobacco or tobacco product before turning same over to claimant, the stamps so affixed to be paid for by claimant when goods properly stamped are delivered by the County Governing Body. Fourth. If no claim is interposed and no bond given within the time above specified, such tobacco or tobacco products or other property shall be forfeited without further proceedings and the same shall be sold as herein provided. And the proceeds of sale when received by the county governing body shall be turned in to the treasury as other revenues are required by law to be turned in: Provided, that in seizure in quantities of less value than fifty dollars the same may be advertised with other quantities in Colbert County, Alabama, by the county governing body and disposed of as hereinabove provided. The proceedings against tobacco

or tobacco products, other property, pursuant to the provisions of this subdivision, shall be considered as proceedings in rem unless otherwise herein provided. Provided, however, should the county governing body have to resort to the courts for collection of the tax due and assessed, no advertisement shall be made and the confiscated tobaccos may be held as evidence pending the results of court action.

(D). The county governing body may in its discretion return any tobacco or tobacco products or other property confiscated under this subdivision or any part thereof, when it is shown that there was not intention to violate the provisions of this subdivision. Provided, when any tobacco or tobacco products or other property, are confiscated under the provisions of this subdivision, the county governing body may, in its discretion, return such goods to the parties from whom they are confiscated if and when such parties shall pay to the county governing body, or its duly authorized representative, an amount equal to the tax due under this subdivision on the goods confiscated, and in such cases no advertisement shall be made or notices in connection with said confiscation. The county governing body may promulgate rules and regulations governing the stamping of any articles or commodities enumerated herein handled by persons, firms, or corporations operation on interstate common carriers. Any rules or regulations of the county governing body, when duly made an promulgated shall have the full force and effect of law.

(E). Whoever removes or otherwise prepares any Colbert County Public Hospital Tax stamps with intent to use, or cause the same to be used, after it has already been used, or buys, sells, offers for sale, or gives away any such washed or removed or restored stamps to any person for using or who used the same, or any person, firm, corporation, who shall re-use or refill with any tobacco products enumerated herein, any box, package or container from which tobacco products theretofore tax-paid have been removed shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars, nor more than five hundred dollars.

STATE OF ALABAMA
COLBERT COUNTY.

I, W. F. Miller, publisher of Colbert County Reporter, a newspaper of general circulation, published in Tuscumbia, Colbert County, Alabama, for 52 consecutive weeks, past, hereby certify that the attached notice of a local law for Colbert County, Alabama, was published in said Colbert County Reporter for four consecutive weeks, in the issues of October 8, 15, 22 and 29, 1959.

W. A. MILLER

Sworn to and subscribed before me this 30th day of October, 1959.

FRANCES DiRAGO,
Notary Public.

Also:

By Mr. Steagall:

H. 1132. To provide for the compensation of the county or deputy solicitor in all counties having a population of not less than 20,500 nor more than 20,830, according to the most recent federal decennial census.

Also:

By Messrs. Adams (Tallapoosa) and Johnson (J. T. Tom):

H. 1134. To alter, rearrange and extend the boundaries of Dadeville, Tallapoosa County; repealing Section 2 of Act No. 286, H. B. 197, passed at the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p. 328).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA
COUNTY OF TALLAPOOSA.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of Dadeville, Tallapoosa County; repealing Section 2 of Act No. 286, H. B. 197 passed at the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p. 328).

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate limits of the town of Dadeville, Tallapoosa County, are hereby altered, rearranged, and extended so as to embrace and include all tracts, lots and parcels of land in a boundary extending one and one-half miles in every direction from the center of the courthouse square in said town.

Section 2. Section 2 of Act No. 286, H. B. 197, passed at the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p. 328) and all other laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 6, October 13, October 20, and October 27, all in the year 1959.

J. C. HENDERSON

Sworn to and subscribed before me October 28, 1959.

T. C. WOLSONCROFT,
Notary Public.

My Commission Expires May 14, 1963.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 1130, 1131, 1132 and 1134 — to the Committee on Local Legislation

BILLS ON THIRD READING RESUMED

The Bill:

H. 998. To alter, extend and rearange the boundary lines and corporate limits of the City of Piedmont in Calhoun County, so as to annex certain territory to the city.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Green	Rutledge
Archer	Farmer	Hines	Shelton
Berryman	Givhan	Jones	Webb
Caffey	Godfrey	Leonard	Wilson
Cooper	Golson	Moses	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 941. Relating to Clarke County; creating the office of Second Special Deputy Sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such Second Special Deputy.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Jones	Shelton
Archer	Gaither	Kendall	Webb
Berryman	Godfrey	Leonard	Wilson
Caffey	Golson	Porter	Word
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 942. To amend Section 2 of Act No. 64, S. 11, approved April 13, 1955, entitled "An Act relating to Clarke County; creating the office of Special Deputy Sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such Special Deputy," (Acts of the 1955 second extraordinary session, Vol. 1, Page 175.)

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Barnett	Farmer	Hines	Samford
Berryman	Gaither	Kendall	Turner
Caffey	Godfrey	Leonard	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Robison	Wyatt
deGraffenried			—24

Nays: —0

The Bill:

H. 910. Relating to the municipality of Ozark, in Dale County: to alter, rearrange, and extend the boundaries and corporate limits of the municipality of Ozark, exempting annexed farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

was taken up.

Mr. Barnett offered the following amendment to the Bill, towit:

AMENDMENT OF H. B. 910

Strike out the words, "all of the W½ of NW¼ of SE¼ lying north of the public road," which appear in the last paragraph of the land description in Section 1 of the bill.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge
Andrews	Gaither	Jones	Samford
Barnett	Givhan	Kendall	Turner
Caffey	Golson	Moses	Webb
Cooper	Green	Porter	Word
Crawford	Haltom	Robison	Wyatt
Dumas			—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge	
Andrews	Gaither	Jones	Samford	
Barnett	Givhan	Kendall	Turner	
Caffey	Golson	Moses	Webb	
Cooper	Green	Porter	Word	
Crawford	Haltom	Robison	Wyatt	
Dumas				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 287. To provide for two judges of the Nineteenth Judicial Circuit of Alabama, prescribe their qualifications, and provide for their election or appointment and their compensation, jurisdiction, authority, powers, and duties.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hocklander, Murphy, Trimmier, and Reynolds (Chambers):

H. 1121. To alter, rearrange and add to the limits of the City of Chickasaw, Alabama and to describe the area added to the said limits of the said City.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

AN ACT

To alter, rearrange and add to the limits of the City of Chickasaw, Alabama, and to describe the area added to the said limits of the said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Chickasaw are altered, rearranged and extended to include within the corporate limits of said City the land described as follows:

Begin at the intersection of Sections 15, 16, 21 and 22, T3S, R1W, being the NE corner of the City of Chickasaw, Mobile County, Alabama, run thence in a Westerly direction along the Southern Boundary of said Section 16, to the point of beginning of the boundary of tract of land herein described; thence turning an angle of 89 degrees and 16 minutes to the right in a Northerly direction 500 feet, more or less, to intersection with center line of a slough; thence in a general Eastwardly and Northeasterly direction along and with the meanders of said center line

to the point in said center line that is 1,400 feet Northwardly from the South Boundary of said Section 16, measured at right angles to said South Boundary, thence in a Westwardly direction, parallel to and 1,400 feet from the South Boundary of said Section 16, run to the point of intersection with the center line of Eight Mile Creek. Thence in a general southerly direction along and with the meanders of said center line of Eight Mile Creek to intersection with the West Boundary of said Section 16; thence in a Southerly direction along said West Boundary 725.0 feet, more or less, to the Southwest corner of said Section 16; thence in an Easterly direction along the South Boundary of said Section, to the point of beginning; together with all of the grantor's right, title and interest in and to that certain easement granted to Harold William Adams on April 5, 1954, by W. G. Fain and Emma Lena Fain, his wife, and Max Buchman and Freda R. Buchman, his wife, as shown by instrument recorded in the Probate Court of Mobile County, Alabama.

Section 2. That all laws and parts of laws either general or special in conflict with the provision of this act, be and the same are hereby repealed.

Section 3. That this act shall go into effect upon its approval by the Governor.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register Oct. 7, 14, 21, 26, 1959.

A. A. JOHNSON

Sworn to and subscribed before me This 26th day of October, 1959.

GREG L. KENNY
Notary Public.

Also:

By Messrs. Hocklander, Murphy, Trimmier, and Reynolds (Chambers).

H. 1119. To alter, rearrange and add to the limits of the City of Chickasaw, Alabama and to describe the area added to the said limits of the said city.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

AN ACT

To alter, rearrange and add to the limits of the City of Chickasaw, Alabama, and to describe the area added to the said limits ot the said city.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Chickasaw are altered, rearranged and extended to include within the corporate limits of said City the land described as follows:

A. Begin at the southeast corner of the North-East quarter of said Section 20; thence in a westerly direction along the south boundary of said North-East quarter 1317.6 feet, more or less, to intersection with a northerly projection of the east boundary of Fifth Street (now known as Erie Street) as shown by map of the Survey of North Mobile made for the North Mobile Development Company, Inc., by B. F. Bates, Civil Engineer, said map being recorded in the office of the Judge of Probate of Mobile County, Alabama, in Deed Book No. 145 N.S., Pages 252 to 263, inclusive; thence in a northerly direction along said projection of the east boundary of Fifth Street (now known as Erie Street) 835.1 feet, more or less, to the center line of Eight Mile Creek; thence in a northeasterly direction down said center line of Eight Mile Creek to intersection with the east boundary of said Section 20; said intersection being 540 feet, more or less, south of the northeast corner of said Section 20; thence in a southerly direction along said east boundary of Section 20, to the point of beginning; the above described Tract having an area of 36.63 acres, more or less;

B. Begin at the intersection of the west boundary of Fourth Street (now known as Delaware Street) with the north boundary of Second Avenue as shown by map of the Survey of North Mobile made for the North Mobile Development Company, Inc., by B. F. Bates, Civil Engineer, said map being recorded in the office of the Judge of Probate of Mobile County, Alabama, in Deed Book No. 145, N.S., Pages 252 to 263, inclusive; thence in a northerly direction along said west boundary of Fourth Street (now known as Delaware Street) and a projection thereof 750.0 feet to the point of beginning of boundary of tract of land herein described; thence turning an angle of 90 degrees and 04 minutes and 30 seconds to the right in an easterly direction 450.0 feet to intersection with a northerly projection of the west boundary of Fifth Street (now known as Erie Street) as shown by said map of North Mobile; thence in a northerly direction along said projection of the west boundary of Fifth Street (now known as Erie Street) 1467.6 feet, more or less, to the center line of Eight Mile Creek; thence in a southwesterly direction up the center line of said creek to intersection with said northerly projection of the west boundary of Fourth Street (now known as Delaware Street); thence in a southerly direction along said projection of the west boundary of Fourth Street (now known as Delaware Street) 900.0 feet, more or less, to the point of beginning; the above described Tract having an area of 13.20 acres, more or less;

C. Begin at the intersection of the east boundary of Fourth Street (now known as Delaware Street) with the north boundary of Second Avenue as shown by Map of the Survey of North Mobile, made for the North Mobile Development Company, Inc., by B. F. Bates, Civil Engineer, said map being recorded in the office of the Judge of Probate of Mobile County, Alabama, in Deed Book No. 145 N.S., Pages 252 to 263, inclusive; thence in a northerly direction along said east boundary of Fourth Street (now known as Delaware Street) and a northerly projection thereof 700.00 feet; thence turning an angle of 90 degrees and 104 minutes and 30 seconds to the right in an easterly direction along a line parallel with said north boundary of Second Avenue 450.0 feet to intersection with a northerly projection of the east boundary of Fifth Street (now known as Erie Street) as shown by said map of North Mobile; thence turning an angle of 90 degrees and 04 minutes and 30 seconds to the left in a northerly direction along said northerly projection of the east boundary of Fifth Street (now known as Erie Street) 1526.6 feet, more

or less, to the center line of Eight Mile Creek; thence in a northerly direction down said center line of Eight Mile Creek to intersection with the east boundary of said Section 20; thence in a northerly direction along said east boundary of Section 20 a distance of 540.0 feet, more or less, to the southeast corner of said Section 17; thence in a northerly direction along the east boundary of said Section 17 a distance of 1334.4 feet to the northeast corner of the Fractional South-East quarter of said Section 17; thence turning an angle of 89 degrees and 18 minutes and 30 seconds to the left in a westerly direction along the north boundary of said Fractional South-East quarter of South-East quarter 1113.5 feet to the northeast corner of a tract of land conveyed by Chickasaw Land Company to Leon L. Solomon by deed dated March 22, 1921; thence turning an angle of 90 degrees and 41 minutes and 30 seconds to the left in a southerly direction along the east boundary of said tract of land conveyed by Chickasaw Land Company to Leon L. Solomon 2769.2 feet; thence turning an angle of 90 degrees and 00 minutes to the right in a westerly direction along the south boundary of said tract of land conveyed by Chickasaw land Company to Leon L. Solomon and a westerly projection thereof 494.5 feet; thence turning an angle of 35 degrees and 51 minutes to the left in a southwesterly direction 1427.4 feet; thence turning an angle of 144 degrees and 06 minutes to the left in an easterly direction 995.4 feet, more or less, to the center line of Eight Mile Creek; thence in a northeasterly direction down said center line of Eight Mile Creek 700.0 feet, more or less, to intersection with a northerly projection of the west boundary of Fifth Street (now known as Erie Street) as shown by said Map of North Mobile; thence in a southerly direction along said projection of the west boundary of Fifth Street (now known as Erie Street) 1467.6 feet, more or less, to intersection with a line 750.0 feet north of and parallel with said north boundary of Second Avenue; thence turning an angle of 90 degrees and 04 minutes and 30 seconds to the right in a westerly direction along said parallel line 450.0 feet to intersection with a northerly projection of the west boundary of said Fourth Street (now known as Delaware Street); thence turning an angle of 90 degrees and 04 minutes and 30 seconds to the left in a southerly direction along said northerly projection of the west boundary of Fourth Street (now known as Delaware Street) 750.0 feet to intersection with said north boundary of Second Avenue; thence turning an angle of 89 degrees and 55 minutes and 30 seconds to the left in an easterly direction along said north boundary of Second Avenue 50.0 feet to the point of beginning;

Section 2. That all laws and parts of laws either general or special in conflict with the provision of this act, be and the same are hereby repealed.

Section 3. That this act shall go into effect upon its approval by the governor.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register Oct. 7, 14, 21, 26, 1959.

A. A. JOHNSON

Sworn to and subscribed before me This 26th day of October, 1959.

GREG L. KENNY
Notary Public.

Also:

By Messrs. Hocklander and Reynolds (Chambers).

H. 1122. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a local bill substantially as follows will be introduced in the Legislature of Alabama.

AN ACT

To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County Alabama, in charge of the Criminal Division of said Circuit Court.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Clerk of the Circuit Court of Mobile County, Alabama, may employ at public expense one Clerk to serve as Clerk of the Criminal Division of said Court to be known as the Chief Assistant to the Clerk of said Court and authorized to perform all of the official duties of the Clerk of said Court, who shall be an employee of the Clerk of said Court and as such may be discharged as may be done between private employer and employee, such Chief Assistant to discharge the duties imposed upon him or her by law and by the Clerk of said Court.

Section 2. That such Chief Assistant shall be paid a salary of $6,600.00 per year, payable in equal monthly installments out of the Treasury of Mobile County, Alabama.

Section 3. That the Chief Assistant to the Clerk of said Court provided for herein, before he or she enters upon his or her duties herein prescribed, must take the oath directed to be taken by the officers of this state, and give bond with surety, payable to the said Clerk of said Court, in such sum as he may prescribe. Upon this Bond the said Chief Assistant to the Clerk of said Court shall be liable to the said Clerk of said Court in consequence of any act of misfeasance or malfeasance of such Chief Assistant in the duties of his or her office. Said bond must be approved by the said Clerk of said Court, and be filed and recorded in the office of the Judge of Probate for said County, and the premiums for said bond paid from funds of the Treasury for said County.

Section 4. That all laws, general, local or special, in conflict with the provisions of this Act are hereby repealed.

Section 5. This act shall take effect immediately upon its passage and approval by the Governor its otherwise becoming a law.

W. F. Egan being sworn, says that he is Office Manager of the Mobile Press and The Mobie Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and

the attached notice appeared in the issue of The Mobile Register Oct. 9, 16, 23, 30, 1959.

W. F. EGAN

Sworn to and subscribed before me This 30th day of October, 1959.

GREG L. KENNY
Notary Public.

Also:

By Mr. Meade.

H. 1123. To amend Section 2 of Act No. 261, H. 808, approved August 23, 1955, an act relating to the construction, maintenance and repair of county roads and bridges in Cherokee County (Act 1955, Vol. I, p. 606) in relation to the authority of the county governing body to determine, subect to the approval of the state highway department, which new county roads and bridges are to be built within the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No 261, H. 808, approved August 23, 1955, an act relating to the construction, maintenance and repair of county roads and bridges in Cherokee County (Act 1955, Vol. I, p. 606), in relation to the authority of the county governing body to determine, subject to the approval of the state highway department, which new county roads and bridges are to be built within the county.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 261, H. 808, approved August 23, 1955, an act relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County (Acts 1955, Vol. 1, p. 606), is hereby amended to read as follows:

"Section 2. The county governing body of Cherokee County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

"(a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the the same manner and to the same extent as it may presently do so under the laws of the State;

"(b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing

county roads and bridges to the same extent as it may presently do so under the laws of the State;

"(c) To exercise, subject to the approval of the State Highway Department the right of eminent domain for the purpose of acquiring right-of-way for the establishment and changing county roads and bridges in the manner presently provided by law.

"(d) To determine, subject to the approval of the State Highway Department, which new county roads and bridges are to be built within the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 7, Oct. 14, Oct. 21, and Oct. 28, all in the year 1959.

JOE SHAW, JR.

Sworn to and subscribed before me this 30th day of October, 1959.

LAURA FRANCES COFFEY
Notary Public.

Also:

By Mr. Meade.
H. 1124. To provide for the compensation of the coroner of Cherokee County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of the coroner of Cherokee County.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Cherokee County shall be entitled to an annual salary of three hundred dollars ($300), which shall be payable in equal monthly installments from the general fund of the county, on warrants drawn on such fund in the manner prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circualtion published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 7, Oct. 14, Oct. 21, and Oct. 28, all in the year 1959.

JOE SHAW, JR.

Sworn to and subscribed before me October 30, 1959.

LAURA FRANCES COFFEY
Notary Public.

Also:

By Mr. Salter.

H. 1125. To authorize the court of county commissioners, board of revenue or other like governing body of Conecuh County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Conecuh County public highway and traffic fund.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To authorize the court of county commissioners, board of revenue or other like governing body of Conecuh County to designate deputy sheriffs as county traffic control officers and to provide for their compensation, in whole or in part, from the Conecuh County public highway and traffic fund.

Be It Enacted by the Legislature of Alabama:

Section 1. It being the duty of the chief deputy sheriff and any other deputy sheriffs of Conecuh County to enforce state traffic and motor vehicle laws, the court of county commissioners, board of revenue, or other like governing body of Conecuh County is hereby authorized to designate the chief deputy and any other deputy sheriffs, whose compensation is paid by the county according to law, as a county traffic control officer. In its discretion, the county governing body may provide for the payment of the compensation of the deputy sheriffs so designated as traffic control officers, in whole or in part, from the Conecuh County public highway and traffic control fund.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 8, Oct. 15, Oct. 22, and Oct. 29, all in the year 1959.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me Oct. 29, 1959.

J. M. JOHNSTON
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1121, 1119, 1122, 1123, 1124, and 1125 — to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Brannan.

H. 1082. To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, Baldwin County.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the Town of Gulf Shores in Baldwin County are hereby altered, re-arranged and extended so as to include within the corporate limits of said municipality the following described lands lying and being in said Baldwin County, to-wit:

Beginning at a point in the center of Alabama Highway No. 59, 66.2 feet East of the Southwest corner of Section 9, T9S, R4E, run thence East to the Southeast corner of the West ½ of the Southwest ¼ of Section 9, T9S, R4E; run thence North to the Northeast corner of said West ½ of the Southwest ¼ of Section 9, T9S, R4E; run thence West to the center of Alabama Highway No. 59; run thence South along the center-line of said Alabama Highway No. 59 to the point of beginning.

Beginning at a point where the West line of Section 19, T9S, R4E intersects the margin of the Gulf of Mexico, run thence North to the Northwest corner of Section 19, T9S, R4E; run thence East along the Section line to a point 1570 feet West of the Northeast corner of said Section 19, T9S R4E; run thence North between Lots No.'s 16 and 17, in Division No. 1 of Gulf Woods, to the center of the Dixie Graves Parkway; run thence Eastward along the center line of the Dixie Graves Parkway to the East line of Section 17, T9S, R4E; run thence South to the Southeast corner of Section 17, T9S, R4E; run thence East along the Section line 0.625 mile, to the Alabama State Park corner; run thence South along the Alabama State Park line to the center of East Gulf Shores Boulevard; run thence Westward along the center line of said Gulf Shores Boulevard to the East line of Lot No. 1, Block No. 2, in Unit No. 5, of Gulf Shores; run thence South to the margin of the Gulf of Mexico, run thence Southwesterly along the margin of the said Gulf of Mexico to the point of beginning.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Gulf Shores, voting in a referendum election to be held on a day

designated by the probate judge of Baldwin County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall begiven by the probate judge of Baldwin County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act No.——— H.——— of the 1959 Regular Session of the Legislature, which alters, re-arranges and extends the corporate limits of the Town of Gulf Shores in Baldwin County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes." If he desires to vote against the adoption of said Act the word "No" shall be written or printed on his ballot. The Town of Gulf Shores shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this Act shall become operative immediately. If the majority are "No" this Act shall have no further effect.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. M. Howell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Foley Onlooker, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 1, October 8, October 15, and October 22, all in the year 1959.

E. M. HOWELL

Sworn to and subscribed before me October 22, 1959.

DORIS HORDER RICH
Notary Public.

Also:

By Mr. Gordon.

H. 1083. To provide a salary for the Coroner of Blount County, and to describe the manner of payment thereof: and making this Act effective upon approval of the voters of the county voting at a referendum.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A BILL
TO BE ENTITLED
AN ACT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage will be made, to-wit:

To provide a salary for the Coroner of Blount County, and to describe the manner of payment thereof: and making this Act effective upon approval of the voters of the county voting at a referendum.

Be It Enacted by the Legislature of Alabama:

Sec. 1. The coroner of Blount County shall be entitled to receive a salary of one hundred dollars ($100.00) a month payable out of the general fund in the County treasury in the same manner as the salary of county employees are paid.

Sec. 2. All laws or parts of laws which conflict with this Act are repealed.

Sec. 3. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Blount Co. who vote thereon in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The governing body of Blount County shall order and provide for the holding of the referendum on such date. On the ballots to be used at such election the question shall be stated substantially as follows:

"Shall the provisions of Act. No.——— of the 1959 Regular Session of the Legislature, which fixes the compensation of the Coroner of Blount County, be adopted? Yes () No ()."

If a majority of the votes cast in the election are "yes", the provisions of this Act shall become effective immediately. If a majority of "no," this Act shall have no effect. The Judge of Probate of Blount County shall certify the result of the election to the Secretary of State within 30 days after the returns are canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA
BLOUNT COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 1, 8, 15, and 22, all in the year 1959.

RICE M. HOWARD

Sworn to and subscribed before me October 22, 1959.

MOLLY RYAN
Notary Public.

Also:

By Mr. Gordon.

H. 1084. Providing for the appointment of a Clerk or secretarial assistant for the County Solicitor of Blount County, and for the payment of the compensation of such clerk or assistant from the County Treasury; and making this Act effective upon the approval of the voters of the County voting at a referendum.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A BILL
TO BE ENTITLED
AN ACT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and the application for its passage and enactment will be made, to-wit:

Providing for the appointment of a Clerk or secretarial assistant for the County Solicitor of Blount County, and for the payment of the compensation of such clerk or assistant from the County Treasury; and making this Act effective upon the approval of the voters of the County voting at a referendum.

Be It Enacted by the Legislature of Alabama:

Sec. 1. The County Solicitor of Blount County may appoint a clerk or secretarial assistant to serve at his pleasure. The Compensation of such clerk or assistant shall be twelve hundred dollars ($1200.00), per annum, and shall be paid in equal monthly installments from the county treasury.

Sec. 2. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of Blount County, voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this Act. The governing body of Blount County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows:

"Shall the provision of Act. No.——— of the 1959 Regular Session of the Legislature, which fixes the compensation of a clerk for the County Solicitor of Blount County, be adopted? Yes () No ()."

If a majority of the votes cast in the election are "Yes", the provisions of this act shall become effective immediately. If the majority of "No," this Act shall have no effect. The Judge of Probate of Blount County shall certify the results of the election to the Secretary of State within 30 days after the returns thereof are canvassed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on October 1, 8, 15, and 22, all in the year 1959.

RICE M. HOWARD

Sworn to and subscribed before me October 22, 1959.

MOLLY RYAN
Notary Public.

Also:

By Mr. Guthrie:
H. 1085. To alter, rearrange, and extend the boundary line of the City of Cullman, in Cullman County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the current regular session or any special session of the Legislature of Alabama for introduction and passage of a bill, the substance of which as distinguished from detail is and will be in substance as distinguished from detail as follows:

A BILL
TO BE ENTITLED
AN ACT

TO ALTER, REARRANGE, AND EXTEND THE BOUNDARY LINE OF THE CITY OF CULLMAN, IN CULLMAN COUNTY, ALABAMA,

Be It Enacted by the Legislature of Alabama:

Section 1. That the Corporate Limits of the City of Cullman, Cullman County Alabama, be changed and extended to include the following territory:

Begin at the southeast corner of Section 21, Township 10 South, Range 3 West; thence West along the section line to the Southwest corner of the Southwest quarter-Southeast quarter of the said section; thence North along the half-section line to the Northwest corner of the Northwest quarter-Southeast quarter of the said section; thence West along the half-section line to the Southwest corner of the Southeast quarter-Northwest quarter of the said section; thence North along the quarter-section line to the Northwest corner of the Northeast quarter-Northwest quarter of the said section; thence West along the section line to the Northwest corner of the said section; thence North along the section line to the Northeast corner of the Southeast quarter-Southeast quarter of Section 8; thence West along the quarter-section line to the Southwest corner of the Southeast Quarter-Northeast-Quarter Southeast Quarter; thence North along the 20 acre line to a point on the North line of Section 8; thence East along the section line to the East right-of-way line of Alabama State Highway No. 157; thence in a

Northwestwardly direction along the said right-of-way line to the South line of the County Road approximately 600 feet South of the North line of Section 5; thence in a Northeastwardly direction along the South line of the said County Road to a point on the North line of Section 5; thence East along the section line to the Northeast corner of the said Section 5, Township 10 South, Range 3 West; thence North along the section line to the Northwest corner of the Southwest Quarter-Northwest quarter of Section 33, Township 9 South Range 3 West; thence East along the quarter-section line to a point on the West right-of-way line of U.S. Highway No. 31; thence southwardly along the said right-of-way line to a point on the south line of Section 33, Township 9 South, Range 3 West; thence East along the Township line to the Northeast corner of Section 4, Township 10 South, Range 3 West; thence South along the section-line 1950 feet; thence at right angles East 500 feet; thence at right angles South 500 feet; thence at right angles West 500 feet to a point on the section line; thence South along the section line to the southeast corner of Section 4; thence East along the section line to the East right-of-way line of the Cullman-Eva Road; thence northeastwardly along the said right-of-way line to Bridge Creek; thence Southeastwardly along Bridge Creek to the West line of the Southeast Quarter-Southeast quarter of Section 3; thence North along the quarter section line to Northwest corner of the Southwest Quarter-Northeast Quarter-Southeast Quarter of Section 3; thence East along the 20 acre line to the East line of the Northeast quarter-Southeast quarter of Section 3; thence South along Section line to the Southeast corner of Section 3; thence East along the section line to a point 200 feet East of the Northeast corner of the Northwest Quarter-Northwest Quarter of Section 12; thence South and parallel to the quarter-section line to the South line of Section 12; thence West along the section line to the West bank of Eight Mile Creek; thence southeastwardly along the West bank of Eight Mile Creek to the East line of Section 14; thence South along the section line to the Southeast corner of Section 14; thence West along the section line to the Northwest corner of the Northwest quarter-Northeast quarter of Section 23; thence South along the half-section line to the Southeast corner of the Southeast quarter-Southwest quarter of Section 23; thence West along the section line to the West right-of-way line of the Old Hanceville Highway; thence Southeastwardly along the said right-of-way line to the South line of the Southeast quarter-Northwest quarter of Section 26; thence West along the half section line to the East line of U. S. Highway No. 31; thence in a northwesterly direction along the East right-of-way line of said Highway to the South line of the Northeast Quarter of the Northeast Quarter of Section 27, thence East to the West line of Section 27; thence North along the section line to the Southeast corner of Section 21, Township 10 South, Range 3 West, and the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, Marie W. Bergin, a Notary Public in and for said County, personally appeared Robert Bryan, who being duly and legally sworn, deposes and says that he is editor and publisher of The Times, a newspaper published in Cullman County, Alabama, and which is a weekly newspaper; that the notice, a copy of which is hereto attached,

was inserted in said newspaper, and was published once a week for four consecutive weeks in said newspaper without cost to the State of Alabama, before the making of this affidavit, said publications being on October 1, 1959, October 8, 1959, October 15, 1959, and October 22, 1959.

ROBERT BRYAN

Sworn to and subscribed before me this the 22nd day of October, 1959.

MARIE W. BERGIN,
Notary Public.

My Commission Expires 3-29-61.

Also:

By Messrs. Grant and Daniel:

H. 1086. To empower the county board of education of Marengo County to authorize the use of school buses for transporting persons to and from certain educational civic and recreational functions, meetings, gatherings or encampments.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

STATE OF ALABAMA
COUNTY OF MARENGO

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To empower the county board of education of Marengo County to authorize the use of school buses for transporting persons to and from certain educational, civic and recreational functions, meetings, gatherings or encampments.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of education of Marengo County, whenever in its opinion such use will not interfere with the principal use of school buses, may authorize the use of such school buses, for the purpose of transporting persons to and from and educational, civic, or recreational function, meeting, gathering, or encampment held, sponsored or conducted by the state or any agency or instrumentality thereof, or by any city, town or county, or by any farm demonstration or farm life club or other organization which receives financial aid from the state or federal government; and may make such reasonable charge for the use of such school bus as in its opinion is necessary to reimburse the school funds for all necessary cost and expenses incurred by reason of such use of the bus whenever such use, in its opinion is not in furtherance of an approved

course of study prescribed and recognized by the state board of education or in furtherance of an authorized educational program for the county. Whenever the board of education authorizes the use of a school bus for any of the purposes enumerated above, such bus shall be used only for the specific purpose which the board of education authorized and in strict conformity to any regulations or stipulations relative to its use which are prescribed by the board.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. E. SUTTON, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Democrat Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on September 24, October 1, October 8, and October 15, all in the year 1959.

R. E. SUTTON

Sworn to and subscribed before me October 20, 1959.

HELEN L. BRADFORD,
Notary Public.

My commission expires March 24, 1962.

Also:

By Messrs. Copeland Hanby:

H. 1088. To abolish the Etowah County Law Library Fund which was created by Act No. 482, H. 1036, approved August 30, 1949; to provide for the transfer of any moneys in such abolished fund to the Etowah County Law Library Fund established pursuant to Act No. 197, H. 596, which became law on August 1, 1955, and to authorize the expenditure of such moneys after being so transferred.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the Etowah County Law Library Fund which was created by Act No. 482, H. 1036, approved August 30, 1949; to provide for the transfer of any moneys in such abolished fund to the Etowah County Law Library Fund established pursuant to Act No. 197, H. 596, which became law on August 1, 1955, and to authorize the expenditure of such moneys after being so transferred.

Be It Enacted by the Legislature of Alabama:

Section 1. The Etowah County Law Library Fund, which was created by Act No. 482, H. 1036, approved August 30, 1949 (Acts of Alabama 1949, page 700) is hereby abolished. Any moneys remaining in the county treasury of Etowah County to the credit of such fund shall be transferred by the presiding judge of the circuit court of Etowah County immediately after this Act becomes effective to the Etowah County Law Library Fund, established pursuant to Act No. 197, H. 596, which became law on August 1, 1955. Thereafter such monies may be expended for the same purpose and in the same manner that the Etowah County Law Library Fund established by said Act No. 197 of 1955 is expended.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediate upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ollie Wright, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Adv. Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 3, 10, 17, and 24th, all in the year 1959.

OLLIE WRIGHT

Sworn to and subscribed before me Oct. 26th, 1959.

WALTER BETZ,
Notary Public.
Etowah County, Ala.

Also:

By Mr. Faulk:

H. 1089. To Amend Section 6 of Act No. 393, H. 681, approved July 14, 1931, an an act that abolished the county board of education of Geneva County and created in lieu thereof a county board of school commissioners (Local Acts 1931, pages 175, 176), in relation to the compensation of school commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF GENEVA

NOTICE s hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend Secton 6 of Act No. 393, H. 681, approved July 14, 1931, an act that abolished the county board of education of Geneva County and created in lieu thereof a county board of school commissioners (Local Acts 1931, pages 175, 176, in relation to the compensation of school commissioners.

Be It Enacted by the Legislature of Alabama:

Section 6 of Act 393, H. 681, approved July 14, 1931, an act that abolished the county board of education of Geneva County and created in lieu thereof a county board of school commissioners (Local Acts 1931, pages 175, 176), is hereby amended to read as follows:

"Section 6. The powers, duties and qualifications of the members of the said county board of school commissioners shall be the same as now or may be hereafter provided by the general school laws of Alabama. The school commissioners shall each receive from the public school funds of the county fifteen dollars ($15.00) a day and his actual traveling and hotel expenses incurred in attending meetings of the board, and transacting the business of the board. However, such members shall not be allowed pay for more than twenty-four days in any one year. Their expenses shall be paid in like manner as provided for the payment of the compensation of teachers."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publishing Editor of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 1, Oct. 8, Oct. 15, and Oct. 22, all in the year 1959.

ORSEN B. SPIVEY

Sworn to and subscribed before me October 22, 1959.

KAROL L. FLEMING,
Notary Public.

My Commission Expires 2nd July, 1963.

Also:

By Mr. Cabiness:

H. 1091. To provide that Justices of the Peace, in all Counties having a population of not less than 38,750 and not more than 39,250 according to the last or any subsequent Federal decennial census, shall not have any jurisdiction over any criminal offense, unless, there is no other Court or courts existing in any such County which can lawfully exercise jurisdiction over such offense; to abolish the criminal jurisdiction of Justices of the Peace in such Counties and to confer the same upon other Court or Courts existing in such Counties which can lawfully exercise such jurisdiction.

Also:

By Mr. Hearn:

H. 1107. To provide that the County Board of Revenue and Control or its successors in office or other governing body of Marshall County shall, upon the passage and approval of this bill shall have the right, in its judgment, after investigation of the necessity therefor, in the Register's office in said County, to authorize the Register to employ some person who shall have the ability to take shorthand notes and transcribe the same, to work therein take testimony, transcribe their notes and do any other thing that a Deputy Register could do under the law and to fix the salary of such person at not less than $250.00 nor more than $300.00 per month, to be paid to the Register for such services or to such person as the Register may appoint thereto. Said salary to be paid out of the General Fund of Marshall County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for enactment into law in substance of the following bill: "A bill to be entitled an act: To provide that the County Board of Revenue and Control or its successors in office or other governing body of Marshall County shall, upon the passage and approval of this bill shall have the right, in its judgment, after investigation of the necessity therefor, in the Register's office in said County, to authorize the Register to employ some person who shall have the ability to take shorthand notes and transcribe the same, to work therein, take testimony, transcribe their notes and do any other thing that a Deputy Register could do under the law and to fix the salary of such person at not less than $250.00 nor more than $300.00 per month, to be paid to the Register for such services or to such person as the Register may appoint thereto. Said salary to be paid out of the General Fund of Marshall County.

Be It Enacted by the Legislature of Alabama:

Section 1. That on and after the passage and the approval of this Act the Board of Revenue and Control of Marshall County, Alabama, or its successors in office, or other like governing body, shall have the right after proper investigation of the necessity therefor, in the Register's Office in said County to authorize the Register to employ some person who shall have the ability to take shorthand notes and transcribe the same, to work therein, take testimony, transcribe their notes and do anyother thing that a Deputy Register could do under the law, and to fix the salary of such person at not less than $250.00 nor more

than $300.00 per month to be paid to the Register for such services or to such person as the Register may appoint thereto. Said salary to be paid out of the General Fund of Marshall County."

PUBLISHER'S AFFIDAVIT

NOTICE: RE Register's Office

Before the undersigned authority personally appeared Fay Ogletree who being first duly sworn deposes and says that she is a representative of the GUNTERSVILLE ADVERTISER-GLEAM, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached has been published in said newspaper for 4 (four) successive weeks in the issue or issues of said paper dated June 3, 10, 17, 24 respectively, of which said notice a copy of the same being hereto attached and make a part of this affidavit.

FAY OGLETREE

Subscribed and sworn to before me this 23 day of October 1959.

ALICE WELLS HARVEY,
Notary Public.

My commission expires Feb. 9, 1960.

Also:

By Messrs. Callahan and Ferguson:

H. 1108. To fix the supplemental salaries of Circuit Solicitors in Judicial Circuits in Alabama composed of one county where the population of such county exceeds 94,000 people and is less than 134,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Also:

By Messrs. Callahan and Ferguson:

H. 1110. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judical of Alabama.

Also:

By Mr. Hankins:

H. 1074. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Millport, Lamar County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAMAR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Millport, Lamar County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the power, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The department of revenue is hereby authorized, directed, and required to collect any sales and use taxes which may be levied in Millport, Lamar County, under the provisions of any municipal ordinance or resolution with a levy identical to the state levy except for rate of tax, subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied under Act. No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, and all acts now or hereafter amendatory thereof or supplementary thereto, except where in applicable or where herein otherwise provided, including the provisions for the enforcement and collection of taxes when said ordinance or resolution is duly promulgated and adopted by the governing body of Millport, Lamar County, and when ance or resolution has been filed with the department of revenue. Such municipal sales and use taxes shall be collected by the department at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama, under the provisions of Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended, and all reports required to be made to the commissioner of revenue hereunder shall, on request to the department of revenue, be made available for inspection by the governing body of Millport, Lamar County, or its designated, agent, at reasonable times during business hours. The department of revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes, & shall have all the authority and duties hereunder as it has in connection with the collection of the State's sales and use taxes provided for by Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended. It shall be the duty of the commissioner of revenue to pay into the state treasury all such taxes collected for Millport, Lamar County, under this Act; and on or before the first duty of the following month, the commissioner shall certify to the comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of Millport, Lamar County, during the calendar month immediately preceding the making of such certificate. Whereupon it shall be the duty of the comptroller to issue his warrant on the state treasurer for the amount, less expenses, so certified by the commissioner of revenue as having been collected for the use of Millport, Lamar County, and paid into the state treasury; and the amount so certified by the commissioner of revenue as having been collected for the use of such town (less expenses) shall be paid to the treasurer or other custodian of funds of Millport, Lamar County. The department of revenue shall charge Millport, Lamar County, for collecting such

municipal sales and use taxes the cost of making such collections provided, however, that such charge shall not exceed ten percent of the amount collected. The comptroller shall each month draw his warrant on the funds collected hereunder payable to the department of revenue for the amount of such charges. The department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes, and otherwise to enforce the provisions of the ordinance or resolution levying such taxes, including any litigation required, and the department of revenue shall pay such special counsel such fees at it deems necessary and proper from the proceeds of the taxes payable to Millport, Lamar County, under the provisions of this Act.

Section 2. Any municipal ordinance or resolution levying a tax required to be collected hereunder, any amendment, or addition, or other change in such ordinance or resolution shall be effective on the first day of the month next following the expiration of thirty days from the date of the adopton of such municipal ordinance or resolution, provided, however, the department of revenue shall not be required to make any collection of taxes or otherwise perform the duties provided herein until and unless a certified copy of such ordinance or resolution, or amendment thereto, is filed with the department of revenue not less than thirty days prior to the effective date of said ordinance, resolution, or amendment thereto.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 1st, Oct. 8th, Oct. 15, and Oct. 22, all in the year 1959.

JACK HANKINS

Sworn to and subscribed before me October 22, 1959.

NELLIE RUTH TAGGART,
Notary Public.

Also:

By Mr. Salter:

H. 1111. To amend further Act No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties, and au-

thority of the county superintendent of education of Conecuh County (Local Acts 1939, p. 319), in relation to the compensation and expense allowance of the county superintendent of education; repealing Act No. 152, H.402, approved June 30, 1953 (Acts of Alabama, 1953 Reg. Sess., vol. I, p. 192) and all conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend further Act No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties, and authority of the county superintendent of education of Conecuh County (Local Acts 1939, p. 319), in relation to the compensation and expense allowance of the county superintendent of education; repealing Act No. 152, H. 402, approved June 30, 1953 (Acts of Alabama, 1953 Reg Sess., vol I, p. 192) and all conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act. No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties and authority of the county superintendent of education of Conecuh County (Local Acts of Alabama, 1939 Regular Session, p. 319), as amended, is amended further to read as follows:

"Section 5. The county superintendent of education shall receive an annual salary of not less than four thousand dollars, the exact amount of the salary to be fixed by the county board of education. Such salary shall be payable in equal monthly installments upon the order of the county board of education. In addition to his salary, the county superintendent of education shall also be provided a travel allowance of not less than six hundred dollars per annum, to be fixed by the county board of education, and paid in the manner prescribed by the board."

Section 2. Act No. 152, H. 402, approved June 30, 1953 (Acts of Alabama, 1953 Reg. Sess., vol I, p. 192) and all other laws and parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County, in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Evergreen Courant, a news-

paper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Oct. 1, Oct. 8, Oct. 15, and Oct. 22, all in the year 1959.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me Oct. 25, 1959.

J. M. JOHNSTON
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1082, 1083, 1084, 1085, 1086, 1088, 1089, 1091, 1107, 1108, 1110, 1074, and 1111 — to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr Murphy:
H. 653. To amend Act No. 245, H. 343, approved June 26, 1945 (General Acts of Alabama, 1945, p. 367), which created the office of Commissioner of Licenses in counties having a population of not less than 140,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal census, and which provided for his election, term, powers, duties, authority and compensation.

Also:

By Messrs. Murphy and Hocklander:
H. 1000. To propose and provide for the submission of an amendment to the Constitution of Alabama amending Amendment XVIII to said constitution, which pertains to Mobile County and the issuance of bonds and the levy of an ad valorem tax by said county for certain specified purposes.

Also:

By Mr. Brannan:
H. 1112. Relating to Baldwin County: Authorizing the County Commissioners of Baldwin County, Alabama, to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid. To prescribe their method of appointment and fix their duties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

AN ACT

Relating to Baldwin County:

Authorizing the County Commissioners of Baldwin County, Alabama, to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid. To prescribe their method of appointment and fix their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. That the County Commissioners of Baldwin County, Alabama, or any like governing body of said County is hereby authorized and empowered to pay the salaries of additional deputy sheriffs. Such deputies shall be in addition to those now required by law to be paid.

Section 2. The deputies shall receive a salary of not more than $4200.00 per annum, to be paid in equal monthly installments and may be paid in whole or in part from the General Fund. The Fine and Forfeiture Fund of the County Public Highway and Traffic Fund as the governing body shall direct. The salaries shall be set by the County Commissioners at their discretion, not to exceed the maximum designated herein.

Section 3. The Sheriff shall appoint the additional deputies as provided for in this act and they shall serve at his pleasure.

Section 4. It shall be the duty of said deputies to enforce state traffic and motor vehicle laws, and while not so engaged to perform such other duties of the Sheriff as the Sheriff shall direct, but his essential duties shall be to enforce said state traffic and vehicle laws as aforestated.

Section 5. If any sentence, clause provision or section of this act be declared invalid, the invalidity thereof shall not affect the validity of any other portion or provision of this act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of portions thereof.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

E. R. Morrissette Jr., being duly sworn, deposes and says that he is the Editor of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of An Act — Relating to Baldwin County was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Aug. 27, 1959 Vol. 71 No. 33.

Date of 2nd publication Sept. 3, 1959 Vol. 71 No. 34.

Date of 3rd publication Sept. 10, 1959 Vol. 71 No. 35.

Date of 4th publication Sept. 17, 19959 Vol. 71 No. 36.

Subscribed and sworn before the undersigned this 14 day of Oct., 1959.

E. R. MORRISSETTE, JR.,
Editor.

DOROTHY MARTIN
Notary Public, Baldwin Co.

Also:

By Messrs. Hocklander and Reynolds (Chambers):

H. 1113. To amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act; To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a local bill substantially as follows will be introduced in the present session of the Alabama Legislature.

A BILL
TO BE ENTITLED
AN ACT

To amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act; To establish in Mobile County, Alabama the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act, To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama, is amended to read as follows: Section four (4). The Administrative Assistant to the Circuit Solicitor shall receive as compensation for such services the sum of not less than forty-two hundred dollars annually and not more than six thousand dollars annually, the amount to be fixed by the Circuit Solicitor and the Legal Stenographer to the Circuit Solicitor shall receive as compensation for such serv-

ices the sum of thirty-six hundred dollars annually, payable in equal monthly installments out of the General Fund of Mobile County, Alabama.

Section 2. This Act shall become effective on the first day of the month following its passage and approval by the Governor or upon its otherwise becoming a law.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, 10/7, 14, 21, 28, 1959.

A. A. JOHNSON

Sworn to and subscribed before me This 28th day of October, 1959.

GREG L. KENNY
Notary Public.

Also:

By Messrs. Murphy, Hocklander, and Reynolds (Chambers):

1115. To amend further Section VIII of the act approved September 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298); to provide for the qualifications, salary and duties of the Personnel Director, to provide for the retirement of the Personnel Director and to prescribe the terms and conditions of such retirement.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the legislature now in session the substance and effect of which bill will be to amend further Section VIII of the act approved September 15, 1939, creating and establishing the Personnel Department of Mobile County (Act No. 470, H. 952, Local Acts 1939, p. 298); to provide for the qualifications, salary and duties of the Personnel Director, to provide for the retirement of the Personnel Director and to prescribe the terms and conditions of such retirement.

W. F. Egan being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, Oct. 8, 15, 22, and 29, 1959.

W. F. EGAN

Sworn to and subscribed before me This 29th day of October, 1959.

GREG L. KENNY
Notary Public.

Also:

By Messrs. Murphy and Hocklander.

H. 1001. To propse and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County to

issue its general obligation bonds not exceeding $3,000,000 in principal amount for capital improvements in said county, including not exceeding $1,000,000 principal amount for public school houses and not exceeding $2,000,000 principal amount for public hospital buildings, said bonds to be secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said constitution, and authorizing the continued levy and collection of said tax for payment of bonds issued hereunder.

Also:

By Messrs. Hocklander and Reynolds (Chambers):

H. 1117. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide further for the compensation of the chief clerk in the office of the sheriff.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

State of Alabama, County of Mobile.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide further for the compensation of the chief clerk in the office of the sheriff.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of an act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355) entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," as amended, is amended further to read as follows:

"Section 3. The Sheriff of Mobile County, Alabama, may, after the effective date of this act, employ the following assistants at the following rate of compensation, viz; One (1) chief deputy sheriff to receive six thousand four hundred dollars ($6,400) per annum; one assistant chief deputy sheriff to receive five thousand four hundred dollars ($5,400) per annum; not less than eight (8) civil and criminal deputy sheriffs to receive not less than fifteen hundred dollars ($1,500) each per annum; one (1) civil and criminal deputy sheriff, who shall also act as bailiff of the Inferior Court of Mobile County, Alabama, to receive not less than fifteen hundred dollars ($1,500) per annum; three (3) part-time deputy sheriffs to receive not less than six hundred dollars ($600) each per annum; not less than four (4) jail guards to receive not less than fifteen hundred dollars ($1,500) each per annum; one chief clerk to receive six thousand dollars ($6,000) per annum; one (1) office employee to receive not less than eighteen hundred dollars ($1,800) per annum; two (2) office employees to receive not less than fifteen hundred dollars ($1,500) each per annum; one (1) office employee to receive not less than nine hundred dollars ($900) per annum; one (1) jail matron to receive not less than one thousand ($1,000) per annum; one (1) kitchen steward to receive not less than nine hundred ($900)per annum. Each of the foregoing assistants shall receive their compensation in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County. The power and authority to fix the salaries of each and every assistant herein provided for above the minimum amounts named in this section is hereby conferred on the Personnel Board of the Civil Service System of Mobile County, Alabama; and all assistants affected hereby, except the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be subject to all the terms and provisions of the Civil Service Act relating to Mobile County, said act having been passed at the 1939 Session and being House Bill No. 952 and having been approved September 15, 1939; provided, however, that the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be qualified electors of Mobile county at the time of their appointment and during their continuance in office. The chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk shall each give bond in an amount to be determined by the Sheriff, such bond to be conditioned as prescribed by law. Nothing herein contained shall be construed as depriving the Personnel Board of the Civil Service System of Mobile County, Alabama, of authority to provide additional assistants for the Sheriff of Mobile County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W. F. Egan being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, Oct. 8, 15, 22, and 29, 1959.

W. F. EGAN

Sworn to and subscribed before me This 29th day of October, 1959.

GREG L. KENNY
Notary Public.

Also:

By Messrs. Hocklander, Murphy, Trimmier, and Reynolds (Chambers):

H. 1118. Relating to Mobile County: To provide further for the distribution of fines and forfeitures in certain cases.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To provide further for the distribution of fines and forfeitures in certain cases.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction within Mobile County of violations of the rules of the road, or the laws of this state relating to or regulating traffic or the operation of motor vehicles upon the highways of this state, shall be paid into the fine and forfeiture fund of Mobile County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

A. A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register 7/8.15.22.29, 1959.

A. A. JOHNSON

Sworn to and subscribed before me this 5th day of October, 1959.

GREG L. KENNY,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 653, 1000, 1112, 1113, 1115, 1001, 1117 and 1118 — to the Committee on Local Legislation

(The bills, H. B.'s 1000 and 1001, were read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Smith (Russell):
H. 683. To amend Act No. 664, H. 791, approved July 5, 1940 General Acts of Alabama, 1939, p. 1050), which provides for the levy, assessment, and collection of mileage taxes from motor carriers in the State of Alabama, so as to eliminate the imposition of such tax on vehicles transporting property for hire.

Also:

By Mr. Smith (Russell):
H. 684. To amend further Section 713, Title 51, Code of Alabama (1940), which relates to the distribution of motor vehicle and trailer license tax funds.

Also:

By Mr. Smith (Russell):
H. 685. To amend Section 703, Title 51, Code of Alabama (1940), which relates to the license tax payable on trailers and semi-trailers.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 683, 684 and 685 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Roberts:

H. 1031. Providing further for the election and organization of the council in all cities having a population of not less than 14,000 nor more than 19,000, according to the last or any subsequent federal decennial census, and operating under the mayor-council form of government; providing for the election of councilmen by place and number; and prescribing additional qualifications for candidates seeking election to such council.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing further for the election and organization of the council in all cities having a population of not less than 14,000 nor more than 19,000, according to the last or any subsequent federal decennial census, and operating under the mayor-council form of government; providing for the election of councilmen by place and number; and prescribing additional qualifications for candidates seeking election to such council.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only once in cities having a population of not less than 14,000 nor more than 19,000, according to the last or any subsequent federal decennial census.

Section 2. Whenever any city within the scope of this Act operates under the mayor-council form of government, the following officers shall be elected in each general municipal election held in such city; and such officers shall compose the city council of such city, shall hold office for terms of four years and until their successors are elected and qualified, and shall exercise the legislative functions of the city government and such other powers and duties as are or may be vested by law in the city council or its members, to wit:

1. Councilman, place number one
2. Councilman, place number two
3. Councilman, place number three
4. Councilman, place number four
5. Councilman, place number five

All of the councilmen herein provided for shall be elected from the city at large. No person shall be a candidate or be permitted to file his statement of candidacy for more than one of such places, and no ballot shall be counted for any candidate except for the place or number for which he announced in his statement of candidacy.

Section 3. Each candidate for election to the office of city councilman, upon filing his statement of candidacy in the office of the mayor of the city, shall pay to the mayor, or to the duly authorized agent of the mayor, a qualification fee of fifty dollars ($50.00). The mayor or his agent shall deposit all such qualification fees in the municipal treasury, to be used for general municipal purposes.

Section 4. The candidates who receive the highest number of legal votes for the respective places provided for herein shall be declared to be elected to such offices, and a certificate of election shall be given to each of such persons by the council, or a majority of them, which shall entitle the persons so certified to the possession of their respective offices immediately upon the expiration of the term of their predecessors, as provided by law. In the event of a tie vote between two or more persons in such election for the same place on the council, the council shall order a new election not later than thirty days thereafter at which election such persons shall run off the tie vote, and the person receiving the highest number of votes shall be declared elected. In the event that all opposition to a candidate receiving a tie vote is withdrawn, then no second election need be held, and such candidate shall receive a certificate of election. On the first Monday in October after their election, the members of the council shall assemble and organize, and choose a chairman or president of the council from among their own number.

Section 5. Except as otherwise provided in this act, all elections held under this Act for councilman shall be held in accordance with the general election laws appliable to cities having a mayor-council form of government.

Section 6. The purpose of this Act is to provide further for the election and organization of the council in cities, within its purview when such cities operate under the mayor-council form of government; and nothing contained in this Act shall prevent or prohibit any city within the application hereof to adopt, in the manner prescribed by law, any optional form of government which such city is authorized to adopt under the general laws of Alabama.

Section 7. The provision of this act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on September 27, October 4, 11, and 18, 1959.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 19 day of October, 1959.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 16, 1963.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1031 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Roberts and Reynolds (Madison):

H. 717. To amend Act No. 653, H. 489, entitled "An Act To regulate the teaching and practice of cosmetology; requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor," approved September 20, 1957 (Acts of Alabama 1957, page 981).

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 717 — to the Committee on Public Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Roberts:

H. 1032. To amend Act No. 476, H. 627, approved September 9, 1955, which creates the office of deputy circuit solicitor in the twenty-third judicial circuit and provides for the appointment, duties and compensation of such officer.

Also:

By Mr. Salter:

H. 1080. To provide for special meetings of the boards of education of all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1032 — to the Committee on Finance and Taxation

H. B. 1080 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (Russell), Brannan, Hocklander, and Trimmier:
H. 745. To amend Section 2, Item III, B (4) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

Also:

By Messrs. Smith (Russell), Adams (Tallapoosa), and Ashworth:
H. 615. Relating to the traveling expenses allowable to state officers and employees; amending further Section 154 of Title 41, Code of Alabama 1940.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 745 and 615 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Adams (Houston):
H. 873. To amend Section 15 of Act No. 75 adopted at the First Special Session of the Legislature of Alabama of 1959 pertaining to records of the proceedings of and resolutions and ordinances adopted by Boards of Commissioners in certain cities having the commission form of government.

Also:

By Messrs. Trimmier and Hocklander:
H. 719. Relating to the City of Mobile; to provide for a separate Mobile Urban Renewal Agency to plan or carry out any redevelopment or urban renewal project in such municipality if the governing body

of the municipality by resolution declares that there is need for such Agency; to provide the number, method of appointment and terms of office of the commissioners of said Mobile Urban Renewal Agency; to provide the powers of said Mobile Urban Renewal Agency; to provide that such Urban Renewal Agency shall not have authority to construct or operate any dwelling accommodations except that it may temporarily operate dwellings and real property acquired in a project area pending disposition; to provide that any existing municipal housing authority of said City shall not, after appointment of the Commissioners of said Mobile Urban Renewal Agency, have power to plan or carry out any redevelopment project or urban renewal project except as stated in this Act; to provide for the transfer of all assets and liabilities in connection with an existing project which is taken over by said Mobile Urban Renewal Agency; to supplement Title 25 of the Code of Alabama of 1940, relating to Housing as amended and supplemented by any Acts of the Legislature of Alabama heretofore enacted, including the following: Act No. 614 of the General Acts of 1939, approved July 10, 1940; Act No. 466 of the General Acts of 1943, approved July 7, 1943; Act No. 541 of the General Acts of 1943, approved July 7, 1943; Act No. 490 of the General Acts of 1949, approved August 30, 1949; Act No. 491 of the General Acts of 1949, approved August 30, 1949; Act No. 193 of the General Acts of 1951, approved July 9, 1951; Act No. 776 of the General Acts of 1951, approved September 11, 1951; Act No. 590 of the General Acts of 1953, approved September 11, 1953; Act No. 553 of the General Acts of 1955, approved September 9, 1955; Act No. 554 of the General Acts of 1955, approved September 9, 1955; to repeal any act or law inconsistent herewith; and to provide that if any portion of this act is held unconstitutional, such holding shall not affect the other parts thereof:

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF MOBILE.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Mobile: to provide for a separate Mobile Urban Renewal Agency to plan or carry out any redevelopment or urban renewal project in such municipality if the governing body of the municipality by resolution declares that there is need for such Agency; to provide the number, method of appointment and terms of office of the commissioners of said Mobile Urban Renewal Agency; to provide the powers of said Mobile Urban Renewal Agency; to provide that such Urban Renewal Agency shall not have authority to construct or operate any dwelling accommodations except that it may temporarily operate dwellings and real property acquired in a project area pending disposition; to provide that any existing municipal housing authority of said City shall not, after appointment of the Commissioners of said Mobile Urban Renewal Agency, have power to plan or carry out any redevelopment project or urban renewal project except as stated in this Act; to provide for the transfer of all assets and liabilities in con-

nection with an existing project which is taken over by said Mobile Urban Renewal Agency; to supplement Title 25 of the Code of Alabama of 1940, relating to Housing as amended and supplemented by any Acts of the Legislature of Alabama heretofore enacted, including the following: Act No. 614 of the General Acts of 1939, approved July 10, 1940; Act No. 466 of the General Acts of 1943, approved July 7, 1943; Act No. 541 of the General Acts of 1943, approved July 7, 1943; Act No. 490 of the General Acts of 1949, approved August 30, 1949; Act No. 491 of the General Acts of 1949, approved August 30, 1949; Act No. 193 of the General Acts of 1951, approved July 9, 1951; Act. No. 776 of the General Acts of 1951, approved September 11, 1951; Act No. 590 of the General Acts of 1953, approved September 11, 1953; Act No. 553 of the General Acts of 1955, approved September 9, 1955; Act No. 554 of the General Acts of 1955, approved September 9, 1955; to repeal any act or law inconsistent herewith; and to provide that if any portion of this act is held unconstitutional, such holding shall not affect the other parts thereof:

Be It Enacted by the Legislature of Alabama:

Section 1: If the governing body of the City of Mobile (hereinafter called City) by resolution declares that there is need for a separate authority to plan and carry out redevelopment projects and urban renewal projects as defined by Act No. 491 of the Acts of the Legislature of 1949, page 713, approved August 30, 1949, and Act No. 553 of the Acts of the Legislature of 1955, page 1213, approved September 9, 1955, respectively, a public body corporate and politic shall exist in such city and shall be known as the Mobile Urban Renewal Agency (hereinafter called Agency).

Section 2: The Agency shall consist of seven (7) commissioners appointed by the governing body of the City, none of whom may be members of such governing body. The commissioners shall elect from among their number a chairman. Two of the commissioners who are first appointed shall be designated by the governing body of the City to serve for terms of four (4) years, two for five (5) years, two for six (6) years, and one for seven (7) years, respectively, from the date of their appointment. Thereafter the term of office shall be four (4) years.

Section 3: Except as specifically provided herein, said Agency shall in all respects be an "Authority" as defined by Title 25 of the Code of Alabama of 1940, and shall have all the powers given to any such authority by any provisions of said Title 25 of the Code of Alabama of 1940, as amended and supplemented by any Acts of the Legislature, heretofore or hereafter enacted, including the following: Act No. 614 of the General Acts of 1939, approved July 10, 1940; Act No. 466 of the General Acts of 1943, approved July 7, 1943; Act No. 541 of the General Acts of 1943, approved July 7, 1943; Act No. 490 of the General Acts of 1949, approved August 30, 1949; Act No. 491 of the General Acts of 1949, approved August 30, 1949; Act No. 193 of the General Acts of 1951, approved July 9, 1951; Act No. 776 of the General Acts of 1951, approved September 11, 1951; Act No. 590 of the General Acts of 1953, approved September 11, 1953; Act No. 553 of the General Acts of 1955, approved September 9, 1955; Act No. 554 of the General Acts of 1955, approved September 9, 1955; and all provisions of said Title 25, as amended or supplemented by any of the Acts referred to above, or by any other Acts of the Legislature of Alabama heretofore or hereafter enacted amending or supplementing the said Title 25, shall apply to said Agency.

Provided, however, said Agency shall not have authority to construct or operate any dwelling accommodations, except that it may tem-

porarily operate and maintain for such uses and purposes as may be desirable, dwelling accommodations and real property acquired by it in a redevelopment or urban renewal area for or in connection with a redevelopment or urban renewal project, pending the disposition of the dwelling accommodations and property for uses in conformity with the redevelopment or urban renewal plan.

Section 4. After the governing body of the City has appointed the commissioners of the said Agency, any existing municipal housing authority of the City (hereinafter called the Housing Board) shall no longer have power to plan, undertake or carry out any redevelopment project or urban renewal project; provided that this section shall not apply to any redevelopment or urban renewal project with respect to which bonds, notes or evidences of indebtedness have been issued by said Housing Board prior to the appointment of said commissioners, unless all holders of any such bonds, notes, or evidences of indebtedness of said Housing Board outstanding with respect to such project, have consented in writing to the substitution of said Agency for said Housing Board on all such bonds, notes, or evidences of indebtedness.

Section 5: After the governing body of the City has appointed the commissioners of said Agency, such Agency shall thereafter have sole power to plan, undertake and carry out any redevelopment project or urban renewal project in the City, except for any such project as comes within the proviso of Section 4 of this Act, which projects, if any, may continue to be carried out by the Housing Board under the provisions of said Section 4. Where projects initiated by said Housing Board are to be carried out by the Agency, all rights, contracts, agreements, obligations, liabilities, assets, and property, real and personal, of said Housing Board in connection with such projects shall vest in and be in the name of said Agency, and all obligations of said Housing Board and all rights and remedies in connection with such projects against said Housing Board may be asserted, enforced and prosecuted against said Agency, to the same extent as they might have been asserted, enforced and prosecuted against said Board.

Section 6: All laws or parts of laws which conflict with this Act are repealed.

Section 7: Should any section, provision or part of this Act be declared unconstitutional or void by any court of competent jurisdiction, it shall not affect the validity of the remaining sections, provisions or parts of this Act.

Section 8: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Reg. Aug. 4, 11, 18, 25.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared A. A. Johnson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Comptroller of the Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week

for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 4, Aug. 11, Aug. 18, and Aug. 25, all in the year 1959.

A. A. JOHNSON.

Sworn to and subscribed before me September 15th, 1959.

GREG L. KENNY,
Notary Public.

Also:

By Messrs. Copeland and Hanby:
H. 1070. To provide for the compensation of special bailiffs in the circuit courts of all counties having a population of not less than 80,000 nor more than 94,000, according to the most recent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 873 — to the Committee on Municipalities and Municipal Organizations

H. B.'s 719 and 1070 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Sessions, Edwards, Locke, Hawkins, Rast, Morrow, and Perry:
H. 1126. To alter and extend the boundaries of the City of Leeds, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Alter, Rearrange and extend the boundaries of the City of Leeds.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Leeds are hereby altered, rearranged and extended to include within the corporate limits of said municipality the following described territory to wit: An area in Jefferson County only to be measured from the Southern Railway Depot situated on the Southern Railway right of way on the North of the tracks between 24th and 25th Streets in the City of Leeds, 2½ miles each way North, South, East and West from said depot to each lateral boundary of the corporate limits. However, it shall be limited to Jefferson County only and shall not affect the boundary of the City of Leeds in Shelby and St. Clair Counties which boundary shall remain

the same as extended by Act No. 521, approved on August 22, 1951 by the Legislature of the State of Alabama.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

AFFIDAVIT OF PUBLISHER

STATE OF ALABAMA
ST. CLAIR COUNTY

On this 30th day of June 1959, personally appeared before me Ethel Blair, Notary Public, in and for the County and State aforesaid, E. R. Blair, who being duly sworn according to Law, declares that he is publisher of the "The Leeds News," a newspaper published in the city of Leeds, in the County of Jefferson, State of Alabama, and the advertisement, a true copy of which is herewith attached, appeared in the "The Leeds News" on the following dates: 5-22, 5-29, 6-12, 6-19, 1959.

E. R. BLAIR.

Subscribed and sworn to before me, this 30th day of June, A. D., 1959.

ETHEL BLAIR,
Notary Public.

Also:

By Messrs. Perry, Morrow, Rast, Locke, Sessions, Hawkins and Edwards:

H. 1136. To establish an inferior court to be called the Intermediate Civil Court of Bessemer; to provide for the Judge, Clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said Court; to provide for the transfer of causes from said Court to the circuit court; and to provide for appeals from said Court and regulate the manner of taking same.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR THE ADOPTION OF A LOCAL LAW BY THE LEGISLATURE OF ALABAMA

Notice is hereby given as provided and required under Section 106 of the Constitution of the State of Alabama, that it is the intention to request the Legislature of Alabama to adopt a local law, in substance as hereinafter stated:

AN ACT

To provide for the creation of a court of limited jurisdiction to be designated and titled, The Intermediate Civil Court of Bessemer, and to fix the territorial jurisdiction as co-extensive with the territorial jurisdiction of the Tenth Judicial Circuit of Alabama, Bessemer Division, but to limit the jurisdiction to suits above One Hundred Dollars and not more than One Thousand Dollars, provided said suits are not for libel, slander, assault and battery, or ejectment; to fix the duties of judge, clerk and other officials of said Court and to determine the method of filling said positions; to provide for the procedures in said court including the provisions relating to appeal from the judgements of said Court

to the Tenth Judicial Circuit Court of Alabama, Bessemer Division and to provide for recording of judgements of said Court and for processes of execution and writs of seizure on the judgements of said Court.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Sept. 25 - Oct. 2-9-16, 1959.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 16 day of Oct., 1959.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Perry, Morrow, Rast, Locke, Sessions, Hawkins and Edwards:

H. 1137. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called The Bessemer Common Claims and Criminal Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court .

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill or a bill in substance as follows, will be introduced and its passage urged by the Legislature of Alabama, without cost to the State.

A BILL
TO BE ENTITLED
AN ACT

To establish an inferior court of record to be called the Bessemer Common Claims and Criminal Court: to define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and fix the method of service of all processes therefrom; to create and designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court and define their duties and the duties of other officials with respect to said Court; and to provide for appeals from said Court and regulate the manner of taking same; and to otherwise provide for said Court. Said Court to be created in the precinct or precincts lying within or partly within the City of Bessemer, Jefferson County, Alabama. Said Court to be created in lieu of all Justices of the Peace and Notary Public ex-officio Justices of the Peace in said precinct or precincts.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
JEFFERSON COUNTY.

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Sept. 25 - Oct. 2-9-16, 1959.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 16 day of Oct., 1959.

W. E. MILLER,
Notary Public.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1126, 1136 and 1137 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Perry, Sessions, Morrow, Locke, Hawkins, Rast, Edwards:

H. 1093. To apply to counties having a population of 500,000 or more according to the last or any subsequent federal census; to provide for a study of judicial practice and procedure and court operation in such counties; to establish and provide for the composition of a "Commission for Judicial Study"; to state the powers, authority and duties of such Commission; and to provide for the financing of the work of the Commission.

Also:

By Messrs. Morrow, Perry, Sessions, Edwards, Hawkins and Rast:

H. 1094. To vacate the following described land dedicated or conveyed for a park and to vacate all public interests therein and rights thereto: A strip of land of indefinite width lying Southwesterly of and adjacent to Crestview Subdivision, which subdivision is located in the SE¼ of SW¼, Section 4, Township 19 South, Range 3 West and the NE¼ of NW¼, Section 9, Township 19 South, Range 3 West, and recorded in Deed Book 1241, Page 294, in the Probate Court, Birmingham, Alabama and Bessemer, Alabama. Excepted from the above is a strip of right of way lying west of, parallel to and abutting the west line of said subdivision.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To vacate the following described land dedicated or conveyed for a park and to vacate all public interests therein and rights thereto: A strip of land of indefinite width lying Southwesterly of and adjacent to Crestview Subdivision, which subdivision is located in the SE¼ of SW¼, Section 4, Township 19 South, Range 3 West and the NE¼ of NW¼, Section 9, Township 19 South, Range 3 West, and recorded in Deed Book 1241, Page 294, in the Probate Court, Birmingham, Alabama, and Bessemer, Alabama. Excepted from the above is a strip of right of way lying west of, parallel to and abutting the west line of said subdivision.

Be It Enacted by the Legislature of Alabama:

Section 1. The following described property previously dedicated as a park and all public interests therein and rights thereto are hereby vacated: A strip of land of indefinite width lying southwesterly of and adjacent to Crestview Subdivision, which subdivision is located in the SE¼ of SW¼, Section 4, Township 19 South, Range 3 West and the NE¼ of NW¼, Section 9, Township 19 South, Range 3 West, and recorded in Deed Book 1241, Page 294, in the Probate Court, Birmingham, Alabama. Excepted from the above is a strip of right of way lying west of, parallel to and abutting the west line of said subdivision.

Section 2. There has been doubt and uncertainty as to what, if any, public rights or benefits could accrue from a purported dedication of

the above property for public park purposes and it is the purpose and intention of this act to enact and it is hereby enacted that all such public rights which may exist by dedication, use or otherwise shall forever cease and that all rights of the public in or to said lands described in Section 1 above be and the same hereby relinquished and abandoned.

Section 3. This act shall become effective upon its passage and signature by the Governor or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombia who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of Sept. 26, Oct. 3, 10, 17, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 19th day of October, 1959.

SARA WHEELER,
Notary Public.

Also:

By Messrs. Perry, Rast, Hawkins, Morrow, Edwards and Sessions:

H. 1095. To provide for the relief of John Hollis Camp out of the County Treasury of Jefferson County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the current regular session or any special session of the Legislature of Alabama, for introduction and passage of a bill the substance of which, as distinguished from details, is and will be substance, as distinguished from detail of the following:

A BILL
TO BE ENTITLED
AN ACT

To provide for the relief of John Hollis Camp out of the County Treasury of Jefferson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the County Commission of Jefferson County shall be authorized and directed to draw or cause to be drawn upon the County Treasurer of said County a warrant in the sum of ten thousand

dollars ($10,000), which said warrant shall be in favor of John Hollis Camp to compensate him for damages sustained to his property, for personal injuries, and for loss of business pursuant to an accident on January 4, 1958, at the intersection of Jefferson County Road No. 8 and what was formerly Highway 78 which, prior to the accident, was returned to the County. The accident was the proximate result of the failure to properly construct or maintain warning signs at the dead end intersection to allow drivers using reasonable care to be warned of the abrupt end of the road and drop across the intersection. It shall be the duty of the County Treasurer to forthwith pay said warrant out of the County Treasury.

Section 2. That this act shall become effective immediately upon its passage or approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly, since said date. And that there was published in said newspaper in the issues of July 25, Aug. 1, 8, 15, 1959, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 17th. day of August, 1959.

SARA WHEELER,
Notary Public.

Also:

By Messrs. Locke, Edwards, Hawkins, Perry, Rast, Sessions and Morrow:

H. 1097. To provide that any city which may now or hereafter have a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census and which may now or hereafter have in force and effect a comprehensive zoning ordinance shall provide for the appointment of a Zoning Board of Adjustment; and to prescribe the power, jurisdiction and authortiy of such Board.

Also:

By Messrs. Locke, Morrow, Hawkins, Rast, Perry, Edwards and Sessions:

H. 1098. To apply to all counties in the State of Alabama having a population of 500,000 persons or more according to the last or any subsequent federal census, to provide that the governing body of each such county shall have authority to purchase, acquire and maintain one unmarked or undesignated passenger automobile for official use, said car to be serviced by the county and to provide for the payment and expenses of its upkeep.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1093, 1094, 1095, 1097 and 1098 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 428. To alter, rearrange and describe the boundary lines and corporate limits of the city of Alexander City, Tallapoosa County, Alabama.

Also:

S. 434. To require the tax collector of Mobile County to charge and collect the same fees, and to deduct from taxes collected by him the same commissions that are prescribed by the general law as compensation for tax assessors and tax collectors and to pay all such fees and commissions into the county treasury of Mobile County; and to repeal Act No. 241, H. 401 and Act No. 242, H. 473 of 1935 (Local Acts of Alabama of 1935, pages 139 and 141, respectively) and Section 1 of Act No. 191, H. 634 of 1955 (Acts of Alabama of 1955, page 476).

Also:

S. 440. To provide for the establishment and operation of a public clinic in the municipality of Uniontown, Perry County.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 366. To provide an additional expense allowance to the judge of the Twenty-fifth Judicial Circuit of Alabama.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Goodwyn, Pierce, and Adams (Tallapoosa):

H. 724. To amend Sections 92 and 117 of Title 17 of the Code of Alabama of 1940 so as to authorize any county or city or other political

subdivision of the state to authorize and direct the use of voting machines for registering or recording and computing the vote at all elections held in such county or city or other political subdivision or portion of any thereof without the requirement of submitting the question of the authorization or installation of voting machines to a vote of the qualified electors of such county, city, or other political subdivision, and so as to make the pertinent and necessary laws pertaining to the use of voting machines in counties also apply to the use of voting machines in any municipality or other political subdivision in which voting machines may be adopted.

Also:

By Messrs. Goodwyn, Pierce, and Adams (Tallapoosa):

H. 725. To authorize each county in this state, in which voting machines may now or hereafter be authorized or required to be used in the conduct of elections, to sell and issue from time to time interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring or providing voting machines for the conduct of elections in such county; authorizing each such county to pledge and use, for payment of the principal of and interest on such warrants and certificates, so much as may be necessary for such purpose of the ½ of 1% ad valorem tax which such county is now authorized to levy without reference to its purpose, and specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Also:

By Messrs. Goodwyn, Pierce, and Adams (Tallapoosa):

H. 730. To amend further Section 12 of Title 17, Code of Alabama 1940, which relates to qualifications to vote.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 724, 725 and 730 — to the Committee on Privileges and Elections

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Merrill, Hawkins, Lee (Barbour), Oakley:

H. 291. To provide for the construction, maintenance and repair of streets, roads, drives, and parking areas on the campus of any state institution of higher learning, the Alabama State Hospitals and the Partlow State School.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 291 — to the Committee on Education

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 441. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 404. To amend Section 1 of Act No. 486, H. 765, approved July 9, 1943, an act providing for the appointment of a board of trustees to acquire, maintain, and protect certain properties and objects of historical interest located at the first permanent seat of government of the State of Alabama at Cahaba in Dallas County, (General Acts 1943, p. 449), so as to provide for the appointment of two additional members of the board of trustees of the Cahaba Historical Commission.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 399. To extend, alter and rearrange the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama.

Also:

S. 418. To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts, 1949, Page 536, entitled: "To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hawkins, Lee, and Guthrie:
H. 660. To provide that the State Budget Officer shall be the Deputy Director of Finance: To provide for the duties and compensation therefor.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 660 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hocklander, Pruitt, and Brannan:
H. 343. To provide for the management, control and ownership of McDuffie Island in Mobile Bay; to provide for the transfer of deeds and records to the Department of State Docks pertaining to McDuffie Island; to provide for the lease, sale or other disposition of properties on McDuffie Island; to provide for the disposition of all revenues obtained from the sale or other disposition of lands on McDuffie Island; to repeal all laws in conflict with the provisions of this act.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 343 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Ashworth:
H. 669. To implement the powers of the Governor as conservator of the peace and to authorize the Governor to close any school, trade school, or institution or any branch or department thereof under the control of the State Board of Education; and to provide for the effective date of this Act.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 669 — to the Committee on Education

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Grouby, Adams (Tallapoosa), and Jenkins:
H. 755. To regulate further elections in the cities and towns of this state: Authorizing, regulating, and providing for the holding of municipal primary elections for the purpose of nominating candidates of political parties for municipal offices.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 755 — to the Committee on Municipalities and Municipal Organizations

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Morrow, Locke, Perry, Sessions, Hawkins, Edwards and Rast:
H. 1096. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 500,000 or more according to the last or any subsequent Federal census, in 1961, 1971 and in each tenth year thereafter; and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1096 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Perry, Sessions, Locke, Edwards, Morrow, Rast:

H. 1092. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 300,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit and shall not be charged against the city, the trustees of the pension system or against the pension fund, and to provide the funds out of which any such solicitor's fee allowed shall be payable; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1092 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Branyon, Self and Bishop:

H. 504. To authorize commissioned officers and warrant officers of the Alabama army and air national guard to organize into an association; and to prescribe the power and authority of the association.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 504 — to the Committee on Military

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Hawkins, Long (Lauderdale), Broadfoot, Bishop, Boyd, Bassett and Albea:

H. 522. To amend Section 3 of an act approved July 9, 1943, creating the Elementary Teachers Scholarship Fund (Act No. 535, S. 371, General Acts 1943, p. 509) so as to provide that funds available to each teachers college for the purpose of making scholarship grants directly may be used instead to match federal funds made available for a like purpose.

Also:

By Messrs. Bailey and Pierce:

H. 552. To amend Section 91 of Title 8, Code of Alabama 1940, as amended by Act No. 707, 1951 Acts of Alabama, Vol. II, page 1246, approved September 5, 1951, entitled "An Act To amend Section 91 of Title 8, Code of Alabama 1940, which relates to licenses to capture and kill fur-bearing animals."

Also:

By Messrs. Bailey and Pierce:

H. 553. To amend Title 8, Section 98, Code of Alabama 1940 pertaining to transporting furs, pelts, etc. without having fur catchers license.

Also:

By Messrs. Bailey and Pierce:

H. 554. To amend Title 8, Section 97, Code of Alabama 1940, pertaining to funds from the sale of fur catchers licenses.

Also:

By Messrs. Bailey and Pierce:

H. 555. To repeal Title 8, Section 99, Code of Alabama 1940, pertaining to receiving furs, pelts, etc., when license not issued.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 522, 552, 553, 554 and 555 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Ashworth:

H. 668. To implement the power of the Governor as conservator of the peace throughout the State; to define such powers with respect to the operation of public schools; to prevent violence and disorder in connection with the operation of public schools; to provide for the closing of public schools and for the education of pupils from such schools; to confer power upon the Governor with respect to such schools; and to provide for the effective date of this Act.

Also:

By Messrs. Bevill, Shumate, Gross, Gordon, Goodwyn, Guthrie, Cabiness, Oden, Dodd, Ray, Hearn, Rast, Bailey, Roberts, Morrow, Sessions, Harris, Jones (Covington), Edwards, Hawkins, Meade, Albea, Hanby, Johnston (Leonard), Johnson (Hardaway), Solomon, Rogers, Adams (Houston), Owens, Brannan, Hocklander, Turnham, Reynolds (Chambers), McClendon (Chambers), Smith (St. Clair), Grouby, Hankins, Perry, Locke, Long, Jenkins, Thomas, Cates, Ramey, and Goldthwaite:

H. 893. To make an appropriation for a tentative or preliminary survey of the Mulberry Fork of the Black Warrior River for the purpose of promoting the development of a waterway system connecting the Tennessee River and the Warrior River in the State of Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 668 — to the Committee on Education

H. B. 893 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Grouby, Adams (Tallapoosa), and Jenkins:

H. 754. To provide for and regulate elections in the cities and towns of this state which have a commission form of government, and which have a population of less than 325,000 inhabitants according to the 1950 decennial census; designating the date for regular elections, and authorizing the board of commissioners to call special elections; prescribing the manner of giving notice of municipal elections, of designating voting places, and of preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for and requiring a second or run-off election whenever no candidate receives a ma-

jority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid for by the city or town holding such elections.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 754 — to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Sessions, Perry, Morrow, Hawkins, Rast, Edwards, Locke:

H. 1099. To amend Section 2 of an act entitled "an act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal Census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the County affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof." (Approved July 6, 1945, General Acts of Legislature of Alabama, 1945, page 376.)

Also:

By Messrs. Sessions, Perry, Morrow, Hawkins, Rast, Edwards, Locke:

H. 1100. To amend Section 440 of Title 37 of the Code of Alabama, 1940, as last amended.

Also:

By Messrs. Sessions, Rast, Edwards, Locke, Perry, Morrow, Hawkins:

H. 1102. To apply in counties which now have or which may hereafter have a population in excess of 500,000 according to the last or any subsequent federal decennial census; providing for the use and disposition of sums in the amount of less than one dollar ($1.00) which come into the hands of the License Commissioner, Director of the De-

partment of Revenue or such other official as may be by law charged with responsibility for the collection and remittance of licenses and license fees, as a result of overpayment for licenses or other fees.

Also:

By Messrs. Perry, Sessions, Edwards, Hawkins, Rast, Morrow:

H. 1104. To apply in all counties of the State having a population of not less than 500,000 according to the last or any subsequent Federal decennial census; to authorize the county commission of any county to which this act applies to call an election for the approval or disapproval of central daylight savings time; providing for the ordering and holding of such election.

Also:

By Messrs. Perry, Sessions, Edwards, Hawkins, Rast and Morrow:

H. 1105. To extend, alter and rearrange the boundary lines and corporate limits of the city of Irondale in Jefferson County, Alabama, so as to include within the corporate limits of said city of Irondale all territory now within such corporate limits and also certain other territory contiguous thereto.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE

Notice is hereby given of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill, relating to the corporate limits of the City of Irondale in Jefferson County, Alabama, so as to extend, alter and rearrange such corporate limits and annex to the City certain additional territory contiguous to the present corporate limits. The substance of such bill is and will be as follows:

A BILL
TO BE ENTITLED
AN ACT

TO EXTEND, ALTER AND REARRANGE THE BOUNDRY LINES AND CORPORATE LIMITS OF THE CITY OF IRONDALE IN JEFFERSON COUNTY, ALABAMA, SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF SAID CITY OF IRONDALE ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS THERETO.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundry lines and corporate limits of the City of Irondale in Jefferson County, Alabama, be and the same are hereby extended, altered and rearranged so that the boundry lines and corporate limits of said City shall embrace and include all of the territory now within the existing limits of said City, and, in addition thereto, shall embrace and include also all of the other territory lying within the following described boundaries, to-wit:

Begin at the Southwest Corner of North Half of Northwest Quarter (N½ of NW¼) of Section 30, Township 17 South, Range 1 West,

which is the Southeast corner of the present corporate limits of the City of Irondale; thence East along the South line of said North Half of Northwest Quarter (N½ of NW¼) of Section 30 Township 17 South Range 1 West to the East line of said Section 30; thence North along said East line of Section 30 and along the East line of Section 19, Township 17 South, Range 1 West and along the East line of Section 18, Township 17 South, Range 1 West, to its intersection with the southerly line of right-of-way of Central of Georgia Railroad in Southeast Quarter of Southeast Quarter (SE¼ of SE¼) of Section 18, Township 17 South, Range 1 West; thence westerly and southwesterly along said Southerly line of said railroad right-of-way to its intersection with the present corporate limits of the City of Irondale; thence West along said present corporate limits to the Southwest Corner of Northwest Quarter of Northeast Quarter (NW¼ of NE¼) of Section 24, Township 17 South, Range 2 West; thence North along present corporate limits of City of Irondale to the Northwest Corner of Southwest Quarter of Southeast Quarter (SW¼ of SE¼) of Section 13, Township 17 South, Range 2 West; thence West along the present corporate limits of City of Irondale to intersection with southeasterly boundry line of right-of-way of Louisville & Nashville Railroad; thence in a Southwesterly direction along said boundry line of said railroad right-of-way, being the present corporate limits of City of Irondale to the arc of a circle constituting the present corporate limits of City of Irondale and thence in a generally Westerly, Southwesterly, Southerly and Southeasterly direction along said arc constituting present corporate limits of City of Irondale to the intersection thereof with the West line of Section 25, Township 17 South, Range 2 West; thence South along said West line of Section 25, Township 17 South, Range 2 West, being present corporate limits of City of Irondale to the Southwest Corner of the Northwest Quarter (NW¼) of Section 25, Township 17 South, Range 2 West; thence East along present corporate limits of City of Irondale to Southeast corner of Southwest Quarter of Northwest Quarter (SW¼ of NW¼) of Section 25, Township 17 South, Range 2 West; thence North along present corporate limits of City of Irondale to the Northwest Corner of Southeast Quarter of Northwest Quarter (SE¼ of NW¼) of Section 25, Township 17 South, Range 2 West; thence East along present corporate limits of City of Irondale to the Southwest Corner of North Half of Northwest Quarter (N½ of NW¼) of Section 30, Township 17 South, Range 1 West, the point of beginning, all situated in Jefferson County, Alabama.

Section 2. That all that territory embraced within said boundry lines described in Section 1 hereof be and the same is hereby included within the corporate limits of the City of Irondale.

Section 3. That all laws and parts of laws in conflict or inconsistant with this Act be and are hereby repealed.

Section 4. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON - SS:

On this 30th day of July A. D. one thousand nine hundred and 59 personally appeared before me, Cassie Lee Miller, a Notary Public in and for the County and State aforesaid Arthur P. Cook who being duly sworn according to law, declares that he is publisher of The Eastern

Sun, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Eastern Sun on the following dates:

July 9th, 1959, July 16th, 1959, July 23rd, 1959, July 30, 1959.

ARTHUR P. COOK.

Subscribed and sworn to before me this 30th day of July A. D. 1959.

CASSIE LEE MILLER,
Notary Public.

Also:

By Messrs. Perry, Sessions, Edwards, Hawkins, Rast and Morrow:

H. 1106. To amend further Section 22 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), an Act relating to a personnel system for certain counties in the State.

Also:

By Messrs. Reynolds (Chambers), Smith (Russell), Cornett, Turnham, McClendon (Chambers) and Torbert:

H. 734. To authorize the state highway department, or the director thereof, to contract with the governing body of any county in this state to construct parking areas or wayside parks along county roads and to declare that such parking areas and wayside parks shall constitute a part of the county road system.

Also:

By Messrs. Adams (Tallapoosa), and Johnson (J. T. Tom):

H. 1006. Relating to Tallapoosa County: To impose extra, new and additional duties upon members of the Court of County Commissioners and to provide additional compensation for the performance of such duties.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following local bill will be introduced in the regular session of the Legislature of Alabama at the first opportunity:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County: To impose extra, new and additional duties upon members of the Court of County Commissioners and to provide additional compensation for the performance of such duties.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other duties now imposed upon them by law, the following extra, new and additional duties are hereby imposed upon the members of the Court of County Commissioners of Tallapoosa County.

(a) The Court of County Commissioners shall hold regular meetings during the second and fourth weeks in each month of the year

on a day to be determined, from time to time, by it, and at such other times as are now provided by law.

(b) Each members of the Court of County Commissioners shall make periodic inspections of all public roads and bridges in his district, shall superintend the construction and maintenance of all public roads and bridges in his district, and shall make such reports of his activities to the Court of County Commissioners from time to time, as are necessary to keep it informed as to the condition of the public roads and bridges in his district. The commissioners shall, at least once a year, inspect roads and bridges in each of the districts of the county.

Section 2. The probate judge shall assist members of the Court of County Commissioners in the performance of the duties hereby imposed to such extent as may be necessary, but the compensation of the probate judge shall remain as now fixed by law.

Section 3. Each member of the Court of County Commissioners shall receive a salary of three hundred and fifty dollars ($350) per month, which shall be in lieu of all fees and allowances except mileage, as now allowed by law to commissioners. The additional compensation which the commissioners receive as a result of the provisions of this Act, over and above the compensation now provided by law, is hereby declared to be performance of the extra, new and additional duties hereby imposed upon them.

Section 4. The provisions of this Act are severable. If any part of this Act is declared unconstitutional or invalid, such declaration shall not affect the part which remains.

Section 5. All laws and parts of laws, general, special or local, in conflict with the provisions of this Act are repealed.

Section 6. This Act shall become effective on the first day of the first month following its passage, and approval by the Governor, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

J. C. Henderson, Publisher, of the Alexander City Outlook published semi-weekly at Alexander City, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said pewspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated September 11, 1959, and ending with the issue dated September 29, 1959.

J. C. HENDERSON.

Subscribed and sworn before me this 10th day of October, 1959.

T. C. WOLSONCROFT,
Notary Public.

My Commission Expires May 14, 1963.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1099, 1100, 1102, 1104, 1105, 1106 and 1006 — to the Committee on Local Legislation

H. B. 734 — to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Grouby, Adams (Tallapoosa), and Jenkins:

H. 757. To provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes and making returns of elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 757 — to the Committee on Municipalities and Municipal Organizations

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 270. To dissolve the municipal corporation of Daleville, Dale County, revoke its charter, and provide for the disposition of its property and payment of its debts.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Barnett, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 270, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO S. B. 270

Strike Section 3 of the bill and substitute in lieu thereof the following:

"Section 3. The substantive provisions of this Act shall become operative only if approved by a majority of the qualified electors residing within the corporate limits of the town of Daleville on the date this Act became law and voting in a referendum to be held on a day designated by the judge of probate of Dale County, not less than thirty nor more than sixty days from the date on which this Act becomes law. Notice of the election shall be given by the probate judge of Dale County in a newspaper published in such county for three successive weeks before the election.

"The judge of probate, the circuit clerk, and the sheriff acting jointly may designate the voting places within the town, and shall appoint three inspectors of election and one returning officer for each voting place which inspectors shall manage the election at the respective voting places.

"The question submitted shall be: Shall Act No._____S. B. 270 of the 1959 Regular Session of the Legislature of Alabama which dissolves the municipal corporation of Daleville and revokes its charter be adopted? Each voter may furnish his own ballot and if he desires to vote for the adoption of said Act there shall be written or printed on such ballots the words "Yes." If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The inspectors at the respective voting places must, as soon as the polls are closed, ascertain and certify the results of the election at their respective voting places to the judge of probate and deliver the same to the returning officer, who must at once return the same to the judge of probate.

"The judge of probate, circuit clerk and sheriff of the county must canvass the returns as made by the inspectors, and if it appears that the majority of the votes cast at the election were in favor of adoption of the act the judge shall make and enter an order on the records of the probate court adjudging and decreeing the act adopted and dissolving the municipal corporation of Daleville. If it appears that a majority of the votes cast at the election are against adoption of the act the judge of probate shall make and enter an order on the records of the court adjudging and decreeing that a majority of the votes cast at such election were cast against adoption of the act and that such act shall have no further force and effect. Within ten days after ascertaining the results of the election the judge of probate shall certify the results thereof to the mayor of the town of Daleville and also to the Secretary of State of the State of Alabama.

"The result of such election may be contested by any qualified elector voting at the election as is provided by the general laws for contesting the election of justices of the peace, making the city the contestee.

"The town of Daleville shall pay all cost and expenses pertaining to the election and the notice thereof.

"If a majority of the votes cast in the election are 'Yes', the provisions of this Act shall become operative sixty days thereafter. If a majority are 'No' this Act shall have no further force or effect."

Yeas 24; Nays 0.

Yeas:

Messrs.:	Gaither	Kendall	Samford	
Andrews	Godfrey	Leonard	Shelton	
Barnett	Golson	Porter	Webb	
Caffey	Green	Roberts	Wilson	
Cooper	Haltom	Robison	Word	
deGraffenried	Hines	Rutledge	Wyatt	
Farmer				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 910. Relating to the municipality of Ozark, in Dale County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Ozark, exempting annexed farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Sente bill:

By Mr. deGraffenried:

S. 286. Relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. deGraffenried, the Senate concurred in and adopted the following House amndment to the Bill, S. B. 286, the title of which is set out in the foregoing Message from the House:

SUBSTITUTE FOR S. B. 286

A BILL
TO BE ENTITLED
AN ACT

Relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

Be It Enacted by the Legislation of Alabama:

Chapter 1

Section 1. This act shall apply only to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census. Any such city may retain the form of government under which it is presently operating or may adopt, upon proceeding in the manner provided in this act, one of the optional plans or forms of government provided herein.

Section 2. The legally qualified voters of any municipality to which this act is applicable may adopt any of the optional plans of this act upon petition and referendum, as hereinafter provided.

Section 3. Upon petition signed by ten per cent or more of the qualified voters of a municipality within the scope of this act, such petition to be addressed to the judge of probate of the county in which the municipality is situated, an election shall be held on the question of the adoption of such optional plan under this act as the petition may designate.

Section 4. The judge of probate shall examine the petition, and if he determines that the petition is signed by at least ten per cent of the qualified voters of the municipality, he shall certify such fact to the governing body of the municipality; and such governing body, immediately upon receipt of such certification, shall call such election to be held together with, and as part of, the next general or municipal election if one is to be held not less than seventy-five nor more than one hundred twenty days after the filing of the petition, and if a general or municipal election is not to be held within that time, a special election within such time. The question of adoption of an optional plan of government shall be submitted to the voters in the same manner as other public questions to be voted upon by the voters of a single municipality.

Section 5. No petition for submission of the question of adopting an optional plan of government pursuant to this act may be filed within two years after any other such petition has been duly filed, nor within five years after an optional plan of government hereunder shall have been adopted for the municipality.

Section 6. Whenever the legally qualified voters of any municipality to which this act applies, by a majority of those voting on the question, vote in favor of adopting a change in their form of government pursuant to this act, the officers herein provided for such form of government shall be elected and the plan of government shall become effective as hereinafter provided.

Chapter 2

Section 7. The form of government provided in this chapter of this act shall be known as the "mayor-council plan" and shall apply to any municipality the voters of which have adopted it pursuant to this act.

Section 8. Each municipality hereunder shall be governed by an elected council, an elected mayor, and such other officers and employees as may be duly appointed pursuant to law or ordinance.

Section 9. The council shall consist of five members, who shall be elected at large by the voters of the municipality; and, except as other-

wise herein provided for the first council, the members of the council shall be elected at a regular municipal election to be held every four years in the month of September. Each councilman shall have been a citizen and resident of the municipality at least two years preceding his election.

Section 10. Members of the council shall serve for a term of four years, beginning at twelve o'clock noon on the first Monday of October next following their election, except as otherwise provided for those first elected. Five councilmen shall be elected at the first election following the adoption by the municipality of this plan, as provided in chapter 4 of this act. All councilmen elected at such first election shall serve from twelve o'clock noon on the first day the plan takes effect until twelve o'clock noon on the first Monday in October of the year in which regular municipal elections are held, and their successors are elected and qualified. Vacancies shall be filled for the remainder of the unexpired term at the next general election to be held not less than sixty days after the occurrence of the vacancy. Council may fill the vacancy temporarily by appointment to serve until the qualification of a person so elected. Councilmen shall be entitled to a compensation of twelve hundred dollars per annum each, payable in installments as the salaries of other municipal officers are paid.

Section 11. All legislative powers and other powers granted to cities and towns shall be exercised by the council, except those powers conferred on some officer by law or ordinance, and except as may otherwise be provided by this act or by other general laws.

Section 12. The council, in addition to such other powers and duties as may be conferred upon it by this act or otherwise by law, may:

(a) Consider and approve or decline to approve nominations for appointments to be made by the mayor;

(b) Require any municipal officer, in its discretion, to prepare and submit sworn statements regarding his official duties and the performance thereof, and otherwise to investigate the conduct of any department, office, or agency of the municipal government;

(c) Remove any municipal officer, other than the mayor or a member of council, for cause, upon notice and opportunity to be heard.

Section 13. The council shall appoint a municipal clerk, who shall serve as clerk of the council, keep its minutes and records of its proceedings, maintain and compile its ordinances and resolutions, and perform such other functions as may be required by law for municipal clerks generally. The municipal clerk shall, prior to his appointment, have been qualified by training or experience to perform the duties of the office.

Section 14. The executive power of the municipality shall be exercised by the mayor. The mayor shall be elected by the qualified voters of the municipality at the regular municipal election to be held every four years in the month of September, and shall serve for a term of four years beginning at twelve o'clock noon on the first Monday in October following his election. Vacancies in the office of mayor shall be filled in the same manner as vacancies in council. However, the mayor elected at the first election following the adoption of this plan shall serve from twelve o'clock noon on the first day the plan takes effect until twelve o'clock noon on the first Monday in October of the year in which regular municipal elections are held and his successor is elected

and qualified. The mayor shall be entitled to compensations at the rate of ten thousand dollars per annum, payable in installments as the salaries of other municipal officers are paid.

Section 15. The mayor shall enforce the ordinances of the municipality and all laws applicable thereto. He shall annually address the council on the condition and requirements of the municipal government and shall from time to time make such recommendation for action by the council as he may deem in the public interest. He shall supervise all of the departments of the municipal government and shall require each department to make an annual and such other reports of its work as he may deem desirable.

Section 16. (a) The mayor shall nominate and appoint, with the advice and consent of the council, the judge of the municipal court, or recorder, and the department heads of the municipality other than the municipal clerk, and may remove at his pleasure the officers appointed by him.

(b) Ordinances adopted by the council shall be submitted to the mayor, and he shall within ten days after receiving any ordinance, either approve the ordinance by affixing his signature thereto or return it to the council, by delivering it to the municipal clerk, together with a statement setting forth his objections thereto or to any item or part thereof. No ordinance or any item or part thereof shall take effect without the mayor's approval, unless the mayor fails to return an ordinance to council within ten days after it has been presented to him, or unless council upon reconsideration thereof on or after the next regular council meeting following its return by the mayor shall by a vote of four members resolve to override the mayor's veto.

(c) The mayor may attend all meetings of the council and preside as chairman and may take part in the sessions of council but shall have no vote except in the case of tie, in which case he may cast the deciding vote.

Section 17. The mayor shall designate the director of administration (or other municipal administrative official subject to the approval of the council) to act as mayor whenever the mayor shall be prevented by absence from the municipality, disability, or other cause from attending the duties of his office. During such time the person so designated by the mayor shall possess all the rights, powers, and duties of the mayor except to hire or dismiss departmental heads or other key officials. Whenever the mayor shall have been unable to attend the duties of his office for a period of sixty consecutive days for any of the above stated reasons, an acting mayor shall be appointed by the council, and he shall succeed to all the rights, powers, and duties of the then acting mayor.

Section 18. The municipality shall have a department of administration and such other departments not exceeding nine in number as council may establish by ordinance. All of the functions, powers, and duties of the municipality shall be allocated and assigned among and within such departments. Each department shall be headed by a director or other officer appointed by the mayor with the advice and consent of the council. The department heads shall serve at the pleasure of the mayor.

Section 19. The department of administration shall be headed by a director who shall be known and designated as the director of administration. The director of administration shall be appointed as other

department heads are appointed, and shall be chosen solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter set forth. He shall have, exercise, and discharge the functions, powers, and duties of the department. The department under the direction and supervision of the mayor shall:

(a) Assist in the preparation of the budget;

(b) Administer a centralized purchasing system; provided, all contracts of whatever nature for the purchase of materials, equipment, supplies, or other personal property involving more than 100 dollars or less than 2,000 dollars made by or on behalf of the municipality, shall be let by free and open bidding, on written sealed bids, to the lowest responsible bidder. Provided further that all purchases of 2,000 dollars or more shall be advertised for by publication three successive weeks before the date set for the letting, in a newspaper published in the city, and in any other manner and for such lengths of time as the council may determine. All bids shall be sealed when received, shall be opened in public at the hour stated in the notice, and all original bids together with all documents relating to the award of the contract shall be retained and made a part of a permanent record or file and shall be open to public inspection;

(c) Be responsible for the development and administration of a sound personnel system; provided, all appointments and removals of officers and employees of the municipality shall be made in accordance with the provisions of the existing merit or civil service system law, if any, in effect in the municipality;

(d) Perform such other duties as council may prescribe.

Section 20. Council shall provide by ordinance for a municipal engineer who shall be qualified at least as a licensed professional engineer prior to his appointment, and shall serve either full or part time, or on a consulting basis. The municipal engineer shall supervise all work by or for the municipality of a technical or engineering nature. He shall as directed by council compile and compute any cost of all work and services of an engineering or technical nature paid for by the municipality whether charged to force account or by contract, and shall report thereon to council annually and at such other times as the mayor or council may require.

Section 21. The municipal budget shall be prepared by the mayor with the assistance of the director of administration. During the month of August, the mayor shall require all department heads to submit requests for appropriations for the ensuing budget year, and to appear before the mayor or director of administration at public hearings, which shall be held in that month, on the various requests.

Section 22. On or before the fifteenth day of September the mayor shall submit to council his recommended budget together with such explanatory comment or statement as he may deem desirable. The budget shall be in such form as may be prescribed by the council, and shall in addition have appended thereto a detailed analysis of the various items of expenditure and revenue. Council may increase or reduce any item or items in the mayor's budget by a vote of a majority of the council. The budget shall become effective on the ensuing first day of October.

Section 23. The council shall where practicable provide for the maintenance of a system of quarterly allotments for the operation of

the budget. It shall be the duty of the officer or department administering any function of the municipality to report to the director of administration such financial statistics as the mayor or director of administration may require in the formulation of the budget.

Section 24. The council shall provide by ordinance for the exercise of a control function, in the management of the finances of the municipality, by some officer other than the director of administration. The control function shall include provision for an encumbrance system of budget operation, for expenditures only upon written requisition, for the pre-audit of all claims and demands against the municipality prior to payment, and for the control of all payments out of any public funds by individual warrants for each payment to the official having custody thereof.

Chapter 3

Section 25. The form of government provided in this chapter of this act shall, be known as the "council-manager plan" and shall apply to any municipality the voters of which have adopted this plan pursuant to this act.

Section 26. Each municipality under this chapter shall be governed by an elected council, an appointed municipal manager, and such other officers and employees as may be duly appointed pursuant to law or ordinance.

Section 27. The municipal council shall consist of five members. Each councilman shall have been a citizen and resident of the municipality at least two years immediately preceeding his election.

Section 28. Except as otherwise herein provided for the first councilmen, members of the municipal council shall be elected at large by the voters of the municipality at a regular municipal election to be held every four years in the month of September.

Section 29. Members of the council shall serve for a term of four years, beginning on the first Monday in October next following their election, except as otherwise provided for those first elected. Five councilmen shall be elected at the first election following the adoption by the municipality of this plan, as provided in chapter 4 of this act. All councilmen elected at such first election shall serve from twelve o'clock noon on the first day the plan takes effect until twelve o'clock noon on the first Monday in October of the year in which regular municipal elections are held, and their successors are elected and qualified. Vacancies shall be filled by election for the remainder of the unexpired term at the next general election occurring not less than sixty days after the occurrence of the vacancy. Council may fill the vacancy temporarily by appointment to serve until the qualification of a person so elected. Councilmen shall be entitled to a compensation of 1,200 dollars per annum each, payable in installments as the salaries of other municipal officers are paid.

Section 30. On the first Monday in October following their election, and, in the case of the first councilmen elected, on the day this plan takes effect, the members elected to the municipal council shall assemble at the usual place of meeting of the governing body of the municipality and organize and elect one of their number as mayor. The mayor shall be chosen by ballot by a majority vote of all members of the municipal council. If the members shall be unable, within five ballots to be taken within two days of said organization meeting to elect a mayor, then the member who in the election for members of the

municipal council received the greatest number of votes shall be the mayor. Should such person decline to accept the office, then the person receiving the next highest vote shall be mayor and so on. The compensation of the mayor under this plan shall be $2,400.00 dollars.

Section 31. The mayor shall preside at all meetings of the municipal council and shall have a voice and vote in its proceedings. All bonds, notes, contracts, and written obligations of the municipality shall be executed on its behalf by the mayor, or in the event of his inability to act, by such councilman as the municipal council shall designate to act as mayor during his absence or disability.

Section 32. All legislative powers and other powers granted to cities and towns shall be exercised by the council, except those powers conferred on some officer by law or ordinance, and except as otherwise provided herein.

Section 33. The municipal council shall appoint a municipal manager, a municipal clerk, and a municipal attorney. Any of such offices may be held by the same person. The council may provide for the appointment of other necessary officers and employees, and may create commissions and other bodies with advisory powers. All appointments and removals of personnel, except the municipal manager, shall be made in accordance with the provisions of such merit or civil service system law as may be applicable to such municipality.

Section 34. The municipal council shall continue or create, and determine and define the powers and duties of, such executive and administrative departments, boards, and officers in addition to those provided for herein, as it may deem necessary for the proper and efficient conduct of the affairs of the municipality. Any department, board, or office so created may at any time be abolished by the municipal council.

Section 35. It is the intention of this chapter of this act that the municipal council shall act in all matters as a body, and it is contrary to the intent of this chapter for any of its members to seek individually to influence the acts of the municipal manager, or any other officer, or to direct or request the appointment of any person to, or his removal from office; or to interfere in any way with the performance by such officers of their duties. The council and its members shall deal with the administrative service solely through the manager and shall not give orders to any subordinate of the manager, either publicly or privately. Nothing herein contained shall prevent the municipal council from appointing committees or commissioners of its own members or of citizens to conduct investigations into the conduct of any officer or department, or any matter relating to the welfare of the municipality, and delegating to such committees or commissions such powers of inquiry as the municipal council may deem necessary. Any councilman violating the provisions of this section shall be disqualified to serve thereafter, and may be removed from his office by an appropriate pdoceeding brought in a court of competent jurisdiction.

Section 36. The municipal council shall as soon as possible after its organization appoint by a vote of a majority of all its members, a municipal manager at such salary and under such conditions as the municipal council by a majority vote may decide.

Section 37. The manager may designate a qualified administrative officer of the municipality to perform his duties during his temporary absence or disability. In the event of his failure to make such designa-

tion, the council may by resolution appoint an officer of the municipality to perform the duties of the manager during such absence or disability until he shall return or his disability shall cease.

Section 38. The municipal manager shall be chosen by the council solely on the basis of his executive and administrative qualifications, with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter set forth. At the time of his appointment, he need not be a resident of the municipality or state, but during his tenure of office he must reside inside the municipality.

Section 39. The municipal manager shall hold office for an indefinite term and may be removed by a majority vote of the council. At least thirty days before such removal shall become effective, the council shall by a majority vote of its members adopt a preliminary resolution stating the reasons for his removal. The manager may reply in writing and may request a public hearing, which shall be held not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if one is requested, and after full consideration, the council by a majority vote of its members may adopt a final resolution of removal. By a preliminary resolution the council may suspend the manager from duty, and shall in any case cause to be paid him forthwith any unpaid balance of his salary and his salary for the next three calendar months following adoption of the preliminary resolution.

Section 40. The municipal manager shall:

(a) Be the chief executive and administrative official of the municipality;

(b) Execute all laws and ordinances applicable within the municipality;

(c) Appoint and remove all heads of administrative departments and all other officers, subordinates and assistants, for whose selection or removal no other method is provided in this chapter, supervise and control his appointees, and report all appointments or removals at the next meeting thereafter of the municipal council, provided that all such appointments and removals are made in accordance with any merit or civil service system law which may be applicable to the municipality;

(d) Negotiate contracts of the municipality subject to the approval of the municipal council, make recommendations concerning the nature and location of municipal improvements, and execute municipal improvements as determined by the municipal council; provided, all contracts of whatever nature for the purchase of materials, equipment, supplies, or other personal property involving more than 100 dollars or less than 2,000 dollars, made by or on behalf of the municipality, shall be let by free and open competitive bidding, on written sealed bids, to the lowest responsible bidder. Provided further that all purchases of 2,000 dollars or more shall be advertised for by publication three successive weeks before the date set for the letting, in a newspaper published in the city, and in any other manner and for such lengths of time as the council may determine. All bids shall be sealed when received, shall be opened in public at the hour stated in the notice, and all original bids together with all documents relating to the award of the contract shall be retained and made a part of a permanent record or file and shall be open to public inspection;

(e) See that all terms and conditions imposed in favor of the municipality or its inhabitants in any statute, public utility franchise,

or other contract are faithfully kept and performed, and upon knowledge of any violation call the same to the attention of the municipal council;

(f) Attend all meetings of the municipal council with the right to take part in the discussions, but without the right to vote;

(g) Recommend to the municipal council for adoption such measures as he may deem necessary or expedient, and make reports to the council as requested by it, and at least once a year make an annual report of his work for the benefit of the council and the public;

(h) Investigate at any time the affairs of any officer or department of the municipality;

(i) Perform such other duties as may be required of the municipal manager by ordinance or resolution of the municipal council.

The municipal manager shall in all matters act under the direction and supervision of the municipal council.

Section 41. A municipal budget shall be prepared by the municipal manager. During the month of August in each year the municipal manager shall require the department heads to submit requests for appropriations for the ensuing budget year and to appear before him at public hearings, which shall be held during that month, on the various requests.

Section 42. On or before the fifteenth day of September the municipal manager shall submit to council his recommended budget together with such explanatory comment or statement as he may deem desirable. The budget shall be in such form as may be required by the council, and shall in addition have appended thereto a detailed analysis of the various items of expenditure and revenue. The council shall, where practicable, provide by ordinance for the operation of a system of quarterly allotments for the operation of the budget, and for the development and reporting of appropriate unit costs of budgeted expenditures. The budget shall become effective on the first day of October.

Section 43. In any act or ordinance a provision conferring the appointing power or other power upon the mayor or other executive officer of the municipality shall be construed as meaning the municipal manager in a muncipality governed under this chapter of this act, and the appointments or the power exercised by the municipal manager in accordance with such provisions shall be classified and given the same force and effect as if executed by the official named therein.

Section 44. A municipal engineer shall supervise all work by or for the municipality of a technical or engineering nature. He shall as directed by council, compile and compute the unit cost of all work and services of an engineering or technical nature paid for by the municipality, whether charged to force account or by contract, and shall report thereon annually and at such other times as the mayor or council may require.

Chapter 4

Section 45. A schedule of the installation of an optional plan adopted pursuant to this act shall, as provided herein, take the following course:

(a) An election to submit the question of adoption of an optional plan may be held at any time in accordance with the provisions of chapter 1 of this act;

(b) In the event of a favorable vote of the electors at the election, the judge of probate of the county in which the municipality is situated shall order an election to be held on the eighth Tuesday following such election for the election of the first officers under the adopted plan;

(c) An optional plan shall take effect in accordance with the further provisions of this act, at twelve o'clock noon on the date of expiration of the terms of office of incumbent councilmen or commissioners, or if the incumbents are holding staggered terms, on the expiration of the term which occurs first.

(d) The expense of all elections held hereunder shall be paid by the municipality conducting such elections.

Section 46. Upon the effective date of an optional form of government adopted pursuant to this act, the provisions of this act pertaining thereto shall become applicable to such municipality, and the existing form of government for such municipality shall be abolished. All ordinances and resolutions of the municipality to the extent that they are not inconsistent with the provisions of this act shall remain in full force and effect until modified or repealed as provided by law. All officers and employees of any municipality adopting an optional plan pursuant to this act, except those whose terms of office are abolished by the adoption of such optional plan, shall continue in office until otherwise provided by the municipal council.

Section 47. All actions and proceedings of a legislative, executive, or judicial character which are pending upon the effective date of an optional plan adopted pursuant to this act may continue, and the appropriate officer or employee under such optional plan shall be substituted for the officer or employee theretofore exercising or discharging the function, power, or duty involved in such action or proceeding.

Section 48. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 49. All laws or parts of laws which conflict with this act are repealed.

Section 50. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Eddins	Hines	Rutledge
Archer	Farmer	Jones	Shelton
Barnett	Givhan	Leonard	Turner
Berryman	Godfrey	Moses	Wilson
Caffey	Golson	Roberts	Word
Cooper			

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Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 475, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to House Bill No. 475.

Respectfully submitted,

JOSEPH G. ROBERTSON,
Executive Secretary.

OCTOBER 30, 1959

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 475, with a suggestive executive amendment, as follows:

Amend said House Bill No. 475 by striking therefrom Section 2 in its entirety, and substituting in lieu thereof Section 2 to read as follows:

"This Act shall become effective November 1, 1959, following its passage and approval by the Governor, or upon its otherwise becoming a law."

If the above suggested amendment is adopted it will remove my objection to the bill.

Respectfully,

JOHN PATTERSON,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the Bill, H. 475, by a vote of Yeas 84, Nays 0, which was a majority of the whole number elected to the House.

And said bill:

H. 475. To amend Section 1 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 85,

Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Robison's, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 475, the title of which, and said executive amendment, is set out in the foregoing Message from the House.

Yeas 20; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Samford	
Barnett	Dumas	Haltom	Turner	
Berryman	Eddins	Hines	Webb	
Caffey	Farmer	Jones	Wilson	
Cooper	Godfrey	Robison	Word	
Crawford				—20

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Shelton	
Barnett	Dumas	Hines	Turner	
Berryman	Eddins	Jones	Webb	
Caffey	Farmer	Robison	Wilson	
Cooper	Givhan	Samford	Word	
Crawford	Green			—21

Nays: —0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 537, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to House Bill No. 537.

Respectfully submitted,

JOSEPH G. ROBERTSON,
Executive Secretary.

OCTOBER 30, 1959

House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 537, with a suggested executive amendment, as follows:

Amend House Bill No. 537 by striking therefrom Section 9 in its entirety and substituting in lieu thereof Section 9 to read as follows:

"This Act shall become effective November 1, 1959."

If the above suggested amendment is adopted it will remove my objection to the bill.

Respectfully,

JOHN PATTERSON,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 537 by a vote of Yeas 89, Nays 0, which was a majority of the whole number elected to the House.

And said bill:

H. 537. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945, who declined membership in the Employees' Retirement System of Alabama in the manner prescribed in Section 3 of Act 515 approved July 9, 1945, and who retires with a minimum of fifteen years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Control of the Employees' Retirement System under the provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 571 approved September 18, 1957 relating to certain benefits to retired state employees, and to provide the appropriation necessary to carry out the provisions of this act.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 78, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Robison, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 537, the title of which and said executive amendment, is set out in the foregoing Message from the House.

Yeas 22; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Shelton	
Barnett	Dumas	Haltom	Turner	
Berryman	Eddins	Hines	Webb	
Caffey	Farmer	Jones	Word	
Cooper	Givhan	Robison	Wyatt	
Crawford	Godfrey	Samford		—22

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Shelton	
Barnett	Dumas	Haltom	Turner	
Berryman	Eddins	Hines	Webb	
Caffey	Farmer	Jones	Wilson	
Cooper	Givhan	Robison	Wyatt	
Crawford	Godfrey	Samford		—22

Nays: —0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 762, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to House Bill No. 762.

Respectfully submitted,

JOSEPH G. ROBERTSON,
Executive Secretary.

OCTOBER 30, 1959

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill No. 762, with suggested executive amendments as follows:

Amend House Bill No. 762 by striking therefrom the following from the caption of said bill:

"To authorize the sale and issuance of not exceeding $3,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of constructing and equipping a hospital building to constitute a part of the University of Alabama Medical Center and to be used for the care and treatment of mental patients and for training of medical students in the field of mental illness; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary for those portions of the state taxes on the sale of spirituous or vinous liquors and of the state license taxes on those selling, storing or receiving for distribution malt or brewer beverages that are required by law to be paid into the Alabama Special Mental Health Fund; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof."

And substituting in lieu thereof the following:

"To authorize the sale and issuance of not exceeding $3,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of constructing and equipping a hospital building to constitute a part of the University of Alabama Medical Center and to be used for the care and treatment of mental patients and for training of medical students in the field of mental illness; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary of that portion of the state taxes on the sale of spirituous or vinous liquors that is required by law to be paid into the Alabama Special Mental Health Fund; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof."

Amend House Bill 762 further by striking therefrom the following from Section 2 of said bill:

"There are hereby authorized to be issued not exceeding $3,000,000 aggregate principal amount of bonds of the state which shall be general obligations of the state for the prompt and faithful payment of the principal of and interest on which the full faith and credit of the state are hereby irrevocably pledged. In addition thereto, there is hereby appropriated and hereby specially and irrevocably pledged, for payment of the principal of and interest on the bonds, pro rata and without priority of one over another by reason of prior issuance or otherwise, so much as may be necessary for said purpose of those portions of the state taxes on the sale of spirituous or vinuous liquors and of the state license taxes on those selling, storing or receiving for distribution malt or brewed beverages that are required by law on the

date of the adoption of this act to be paid into the Alabama Special Mental Health Fund, being those portions of said taxes levied respectively by Act No. _____ and Act No. _____ adopted at the 1959 Regular Session of the Legislature of Alabama. The said special pledge shall create a charge on the said portions of the said taxes prior to all other charges or expenses for mental health purposes or other purposes."

And substituting in lieu thereof the following:

"There are hereby authorized to be issued not exceeding $3,000,000 aggregate principal amount of bonds of the state, which shall be general obligations of the state for the prompt and faithful payment of the principal of and interest on which the full faith and credit of the state are hereby irrevocably pledged. In addition thereto, there is hereby appropriated and hereby specially and irrevocably pledged, for payment of the principal of and interest on the bonds, pro rata and without priority of one over another by reason of prior issuance or otherwise, so much as may be necessary for said purpose of that portion of the state taxes on the sale of spirituous or vinous liquors that is required by law on the date of the adoption of this act to be paid into the Alabama Special Mental Health Fund, being that portion of said taxes provided to be paid into said fund by Act No. 312, adopted 1959 Regular Session of the Legislature of Alabama. The said special pledge shall create a charge on the said portions of the said taxes prior to all other charges or expenses for mental health purposes or other purposes."

If the above suggested executive amendments are adopted my objections to the bill will be removed.

Respectfully,

JOHN PATTERSON,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 762 by a vote of Yeas 87, Nays 0, which was a majority of the whole number elected to the House.

And said bill:

H. 762. To authorize the sale and issuance of not exceeding $3,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of constructing and equipping a hospital building to constitute a part of the University of Alabama Medical Center and to be used for the care and treatment of mental patients and for training of medical students in the field of mental illness; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary for those portions of the state taxes on the sale of spirituous or vinous liquors and of the state license taxes on those selling, storing or receiving for distribution malt or brewed beverages that are required by law to be paid into the Alabama Special Mental Health Fund; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 83,

Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. deGraffenried, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 762, the title of which and said executive amendment, is set out in the foregoing Message from the House.

Yeas 22; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Shelton	
Barnett	Dumas	Haltom	Turner	
Berryman	Eddins	Hines	Wilson	
Caffey	Farmer	Jones	Word	
Cooper	Givhan	Robison	Wyatt	
Crawford	Godfrey	Samford		—22

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Shelton	
Barnett	Eddins	Hines	Turner	
Berryman	Farmer	Jones	Webb	
Caffey	Givhan	Leonard	Wilson	
Cooper	Godfrey	Robison	Word	
Crawford	Green	Samford	Wyatt	
deGraffenried				—24

Nays: —0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR

November 5, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill 358, with suggested executive amendments, as follows:

Amend Senate Bill 358 by striking out the last sentence of Section 2 and inserting in lieu thereof the following sentence:

"The tax herein provided for shall be in addition to any and all excise or other taxes imposed on gasoline, naptha and other liquid motor fuels or any device or substitute therefor, or on the business of selling, distributing, storing or withdrawing from storage for any purpose, gasoline as herein defined; however, the governing body of said county shall have no authority to levy any tax upon any gasoline as herein defined when used in essential governmental functions by the State of Alabama or any agency thereof, or county governing agencies, municipalities, and boards of education."

Also, strike out Section 13 of the bill entirely and renumber the following sections of the bill in proper numerical sequence.

If the foregoing amendments to the bill are agreed to, my objections to the bill will be removed.

Respectfully,

JOHN PATTERSON,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Godfrey, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 358. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing, or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Hines	Samford	
Archer	Farmer	Jones	Turner	
Berryman	Gaither	Kendall	Webb	
Caffey	Godfrey	Moses	Word	
Cooper	Graham	Porter	Wyatt	
Crawford				—24

Nays: —0

Which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Hines	Samford	
Archer	Farmer	Jones	Turner	
Berryman	Gaither	Kendall	Webb	
Caffey	Godfrey	Moses	Word	
Cooper	Graham	Porter	Wyatt	
Crawford				—24

Nays: —0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR

October 30, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Honorable James A. (Jimmy) Turner, Tuscaloosa, Alabama, as a member of the Civil Service Board of Tuscaloosa County, to succeed Honorable Arthur W. Blackman, deceased, for the term expiring May 15, 1963.

Respectfully,

JOHN PATTERSON,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. deGraffenried, the Senate confirmed the appointment of Honorable James A. Turner as a member of the Civil Service Board of Tuscaloosa County, which said appointment is set out in the foregoing Message from His Excellency, the Governor.

MESSAGE FROM THE GOVERNOR

November 4, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed Dr. W. C. Holmes of Foley, Alabama, as a member of the Gulf States Marine Fisheries Compact, for the term expiring July 1, 1963.

Respectfully,

JOHN PATTERSON,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Webb, the Senate confirmed the appointment of Dr. W. C. Holmes as a member of the Gulf States Marine Fisheries Compact, which said appointment is set out in the foregoing Message from His Excellency, the Governor.

MESSAGE FROM THE GOVERNOR

November 4, 1959

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the State Superintendent of Education relative to the election of the members of the University of Alabama Board of Trustees, which is subject to your confirmation.

Respectfully,

JOHN PATTERSON,
Governor.

Montgomery, Alabama
November 2, 1959

To the Senate
Alabama State Legislature
Montgomery, Alabama

In compliance with Article XIV, Section 264, of the Constitution of Alabama, I am certifying to the Senate of Alabama that the following persons have been re-elected as Members of the University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, since the last session of the Legislature:

Name	Address	District	Expiration of Term
Thomas D. Russell	Alexander City, Ala.	Fifth	1971
William H. Key	Russellville, Ala.	Seventh	1971

I further certify that the following persons have been elected as Members of the University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, since the last session of the Legislature:

Name	Address	District	Expiration of Term
Ehney A. Camp, Jr.	Birmingham, Ala.	Ninth	1971
Winton Blount	Montgomery, Ala.	Second	1971

Respectfully submitted,

FRANK R. STEWART,
State Superindendent of Education.

Sworn to and subscribed before me this 3rd day of November, 1959.

JULIET MARCUS,
Notary Public.

STATE OF ALABAMA
TUSCALOOSA COUNTY

I, J. Rufus Bealle, Secretary of The Board of Trustees of the University of Alabama, hereby certify that Mr. Thomas D. Russell, Alexander City, Alabama, was re-elected as a member of the University of Alabama Board of Trustees by the members of The Board in the manner prescribed by the Constitution of Alabama at the Homecoming Meeting of The Board held on October 30, 1959, from the Fifth Congressional District to succeed himself. This term expires in 1971.

I further certify that Mr. William H. Key, Russellville, Alabama, was re-elected as a member of the University of Alabama Board of Trustees by the members of said Board in the manner prescribed by the Constitution of Alabama at the Homecoming Meeting of The Board held on October 30, 1959, from the Seventh Congressional District to succeed himself. This term expires in 1971.

I further certify that Mr. Ehney A. Camp, Jr., Birmingham, Alabama, was elected as a member of the University of Alabama Board of Trustees by the members of said Board in the manner prescribed by the Constitution of Alabama at the Homecoming Meeting of The Board held on October 30, 1959, from the Ninth Congressional District to succeed Mr. Hill Ferguson, who will retire from this Board on December 5, 1959. Mr. Camp's term expires in 1971.

I further certify that Mr. Winton Blount, Montgomery, Alabama, was elected as a member of the University of Alabama Board of Trustees by the members of said Board in the manner prescribed by the Constitution of Alabama at the Homecoming Meeting of The Board held on October 30, 1959 from the Second Congressional District to succeed Mr. Robert E. Steiner, Jr., deceased. This term expires in 1971.

WITNESS my hand the seal of The Board of Trustees of the University of Alabama on this the 2nd day of November, 1959.

J. RUFUS BEALLE,
Secretary.

GOVERNOR'S MESSAGE

On motion of Mr. Dumas, the Senate confirmed the following as members of the Board of Trustees of the University of Alabama:

Hon. Thomas D. Russell, Hon. William H. Key, Hon. Ehney A. Camp, Jr., and Hon. Winton Blount

As certified by the Superintendent of Education and set out in the foregoing Message from His Excellency, the Governor.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively and finds same correctly enrolled, to-wit:

S. 287. To provide for two judges of the Nineteenth Judicial Circuit of Alabama, prescribe their qualifications, and provide for their election or appointment and their compensation, jurisdiction, authority, powers, and duties.

HUGH MOSES,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 37 — Amending S. J. R. 29.

Also:

S. J. R. 38 — Expressing appreciation to Hon. Tom Johnson and Hon. Harold Johnson for the princely entertainment on October 28.

HUGH MOSES,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quoroum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House, Bills, your signature thereto is requested.

H. 72. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any civil case triable by a jury in all courts in all counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

Also:

H. 73. Relating to judicial procedure, and to provide for and regulate the selecting and impaneling of juries and alternate jurors in all criminal and quasi-criminal cases in the circuit courts in counties having a population of not less than 200,000 nor more than 400,000, according to the last or any subsequent federal decennial census.

Also:

H. 605. Relating to Macon County; regulating further the practice of cosmetology in Macon County.

Also:

H. 693. To amend further Section 5 of Act No. 222, H. 317, approved February 27, 1879 (Acts of Alabama, 1878, p. 248), entitled "An Act To establish a board of revenue for Autauga county, and to define the powers and duties of said board of revenue," by providing further for the compensation of the chairman and members of the board of revenue.

Also:

H. 838. To amend Section 2 of an act approved June 3, 1953, establishing a board of revenue for Hale County (Act No. 61, H. 209, Acts of Alabama 1953, Vol. I, p. 89) so as to provide for the election of members of the board of revenue by districts.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 533. Relating to taxation: exempting the gross proceeds of sales of certain small stores or vending stands operated by blind persons from the sales tax, and prescribing penalties for violations of this Act.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 975. To amend Section 33 of Act No. 100 enacted at the Second Special Session of the Legislature of Alabama of 1959, entitled "An Act to raise revenue: Levying a privilege or license tax against persons on

account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented."

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

S. 376. Relating to the fees and compensation of coroners; amending Sections 94 and 95 of Title 11, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Samford
Barnett	Dumas	Haltom	Shelton
Berryman	Eddins	Hines	Turner
Caffey	Farmer	Jones	Webb
Cooper	Givhan	Leonard	Wilson
Crawford	Godfrey	Robison	Wyatt

—23

Nays: —0

The Bill:

S. 349. To amend Sections 278-283 of Title 55, Code of Alabama 1940, in relation to the public library service.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 278-283 of Title 55, Code of Alabama 1940, in relation to the public library service.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 278, 279, 280, 281, 282, and 283 of Title 55, Code of Alabama 1940, are amended to read as follows:

"Section 278. In order to aid in the development of higher ideals of citizenship and the enlargement of opportunity for culture and recrea-

tion, and in order to afford an additional means for the further upbuilding of the educational facilities of the state, there shall be a public library service, which shall be known as the Alabama Public Library Service, and shall have as its chief objective the development of a cooperative system of providing books and library service for the various cities and counties of the state.

"Section 279. The executive board of the Alabama public library service shall consist of five members appointed by the governor. Such members shall be qualified electors of the state and shall have resided in the state for five years next preceding their appointment. Appointments shall be for five years, and all vacancies, including expired and unexpired terms, shall be filled by the governor by appointment. The incumbent members of the executive board of the public library service division heretofore appointed shall continue in office and constitute the executive board of the Alabama public library service until the expiration of their respective terms of office. Members of the executive board shall be allowed ten dollars per day, plus transportation expenses at eight cents a mile traveled, while on official business, provided this time shall not exceed twenty days per year for any member of the board. In addition, however, members of the board may attend state and national conventions of librarians and shall be reimbursed actual expenses incurred in doing so. It shall be the duty and power of the executive board to conduct the affairs of the public library service, to administer the funds received from the treasury that are allocated to the public library service, and shall be responsible for the program and for such other activities as would naturally be administered by such an executive board.

"Section 280. The Alabama public library service shall give advice to all free public, regional, city and county libraries and to all communities in the state which may propose to establish public libraries, in the manner hereinafter provided, as to the best means of establishing and administering such public library service; selecting and cataloging books and other details of library management; and may send any of its staff to aid in organizing such libraries, or to assist in the improvement of those already established; may advise as to the proper qualifications of librarians of free public, regional, city and county libraries, and shall perform such other services consistent with and in furtherance of the purpose of this article as shall from time to time appear feasible. Moreover, the service shall advise as to arrangements as provided in section 288 of this title, by which local governmental agencies may combine in the establishment of joint units of library service. The service may receive and shall administer all funds, books or other property, from whatever source, under such conditions as may be deemed necessary in order to carry out the purpose of this article; and by the use of such means and methods as circumstances warrant, the service may acquire and operate traveling libraries and circulate or loan such books and libraries among communities, libraries, library associations, social and civic clubs and organizations and other public agencies and institutions under such conditions and rules as the board deems necessary in order to protect the interests of the state and to increase the efficiency and promote the extension of public library service throughout the state.

"Section 281. The members of the executive board shall elect from its membership a chairman and a vice chairman. The Board shall appoint a director. The director shall be a graduate of an accredited library school who shall have had a minimum of three years of library experience in an administrative capacity, or shall be a college graduate with a Master's Degree with a major in library science who shall have had a minimum of five years of library experience in an administrative capa-

city. The director shall not be a member of the executive board and shall serve at the pleasure of the board. All other members of the staff of the service shall be appointed by the executive board on the nomination of the director, and shall be subject to the provisions of the state merit system law. The director shall keep a record of the proceedings of the board shall keep accurate accounts of all financial transactions of the service; shall have charge of its work in organizing new libraries and improving those already established and in general perform such duties as may from time to time be assigned by the executive board. In addition to their salaries, the director and the assistants shall be allowed their actual expense while absent from their duty station on official business for the public library service.

"Section 282. The executive board shall make an annual report to the governor. The report shall show public library conditions and progress in Alabama and a statement of the expenses and activities of the public library service. These annual reports shall be printed as other annual reports of the state departments and shall be distributed by the board, or the director thereof.

"Section 283. The Alabama public library service shall each year obtain from all free public libraries in the State of Alabama reports showing the conditions, growth, development and conduct of said libraries. This provision shall not apply to the libraries of the supreme court of Alabama, the department of archives and history, or school libraries aided and supervised by the department of education, and the libraries of institutions of higher learning."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dumas	Golson	Robison	
Berryman	Eddins	Green	Samford	
Caffey	Farmer	Haltom	Shelton	
Cooper	Givhan	Hines	Turner	
Crawford	Godfrey	Jones	Webb	
deGraffenried				—20

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Samford	
Barnett	Dumas	Haltom	Shelton	
Berryman	Eddins	Hines	Turner	
Caffey	Farmer	Jones	Webb	
Cooper	Givhan	Leonard	Wyatt	
Crawford	Godfrey	Robison		—22

Nays: —0

The Bill:

S. 335. To revise and amend Chapter 4 of Title 46 of the Code of Alabama (1940), relating to the licensing of general contractors.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO SENATE BILL 335

Amend Section 78 of Senate Bill 335 by changing the last period in the paragraph to a semi-colon and adding the following:

"and an individual firm or corporation constructing buildings, facilities or other improvements with its own employees, for its own uses and purposes, and not to be occupied by other than its own employees."

Also, further amend said Senate Bill 335 by striking from the last sentence in Section 73 the following words: "being built by the owner with its own forces."

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Berryman	Eddins	Haltom	Samford	
Caffey	Farmer	Hines	Turner	
Cooper	Givhan	Jones	Wilson	
Crawford	Godfrey	Leonard	Wyatt	
deGraffenried				—20

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Shelton	
Berryman	Eddins	Hines	Turner	
Caffey	Farmer	Jones	Webb	
Cooper	Givhan	Leonard	Wilson	
Crawford	Godfrey	Robison	Wyatt	
deGraffenried	Green	Samford		—22

Nays: —0

FURTHER CONSIDERATION OF CONFERENCE REPORT

The Senate proceeded to further consideration of the Conference Report on the Bill, H. B. 102.

The question was on the motion of Mr. Robison that the Senate concur in and adopt the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Bill:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

And the Senate did concur in and adopt said Conference report.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Samford	
Andrews	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Turner	
Cooper	Givhan	Leonard	Webb	
Crawford	Godfrey	Porter	Wilson	
deGraffenried	Green	Robison	Wyatt	
Dumas	Haltom			—25

Nays: —0

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Godfrey:

S. 473. To create a solicitor's fund in the ninth judicial circuit of Alabama; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in all courts in the ninth judicial circuit; and to autohrize expenditures of said fund by the circuit solicitor for law enforcement and the discharge of the duties of his office.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Murphy (with notice and proof):

H. 652. Relating to Mobile County: To provide that the laws governing the countywide Civil Service System of Mobile County shall apply to any person holding the position of Chief Clerk, unclassified, in the office of the Tax Assessor of Mobile County, provided that such person shall have held such position continuously for a period of not less than eighteen years; and to provide for the placing of such person upon the employment roster of the Civil Service System of Mobile County, without examination and without any decrease in the salary of such person.

By Mr. Johnson (Tallapoosa) et al:

H. 799. To provide an allowance to each official court reporter of the circuit courts in the Fifth Judicial Circuit payable by the counties composing said circuit to reimburse him for expenses incurred in the performance of his official duties.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 850. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Mr. Trimmier (with notice and proof):

H. 882. To amend Section Six (6) of an Act approved March 28, 1955, and found in Acts of Alabama, 1955, Volume 1, pages 122-123, relating to the appointment of an Assistant Treasurer of Mobile County; and providing for the qualifications, term, duties, bond, compensation, and manner and method of paying same, and fixing time at which said Act shall go into effect.

By Mr. Trimmier (with notice and proof):

H. 883. To amend Section 41, Title 62 of the Code of Alabama, 1940, as amended by Act 412 of the Regular Session 1947, of the Legislature of Alabama, approved September 19, 1947.

By Messrs. Lee and Thomas (with notice and proof):

H. 936. To authorize the court of county commissioners, board of revenue or other like governing body of Barbour County to designate deputy sheriffs as county traffice control officers and to provide for the payment of their compensation, in whole or in part, from the Barbour County public highway and traffic fund.

By Mr. Jones (Covington) (with notice and proof):

H. 968. Relating to the purging of voter registration lists in Covington County; providing for periodic reidentification of registered voters in Covington County and for the removal of the names of those now required by law to be stricken from the lists of registered voters in Covington County; providing for supplies to carry out reidentification and to maintain current voter files in the county; providing for the administration and enforcement of the act; and prescribing penalties.

By Mr. Hawkins et al:

H. 982. To amend Section 799, Title 37, of the 1940 Code of Alabama, as heretofore amended.

By Mr. Roberts (with notice and proof):

H. 1033. Relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

By Messrs. Hanby and Copeland:

H. 1071. To amend Act No. 737, S. 548, approved September 20, 1957, an act providing for the operation of the county board of equalization of each county having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census (Acts of Alabama 1957, Vol. II, pp. 1158, 1159).

By Messrs. Johnson (Hardaway) and Johnston (Leonard) (with notice and proof):

H. 1069. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

By Messrs. Albea and Merrill:
H. 1067. Relating to counties having a population of not less than 75,000 nor more than 93,000 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers.

By Mr. Smith (St. Clair):
H. 1042. Proposing an amendment to the Constitution of Alabama relative to the costs and charges of courts in St. Clair County and the compensation of certain officers of St. Clair County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Smith (St. Clair) (with notice and proof):
H. 1041. To change the method of compensating certain officers of St. Clair County: Fixing the salaries of such officers, and providing for the clerical assistance, office space, equipment, and supplies necessary for the conduct of their offices.

By Mr. Smith (St. Clair) (with notice and proof):
H. 1040. To alter or rearrange the boundary lines of the city of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

By Messrs. Gilchrist and Brewer (with notice and proof):
H. 1039. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Mr. Goodwyn et al:
H. 1038. To authorize the governing body of any municipality in the State of Alabama having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use of facilities under its jurisdiction and control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipality and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes.

By Mr. Goodwyn et al (with notice and proof):
H. 1037. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 28, T16N, R18E, Montgomery County, Alabama, and Section 21, T16N, R18E, Montgomery County, Alabama.

By Mr. Jones (with notice and proof):
S. 462. To alter, rearrange and extend the boundaries of Dadeville, Tallapoosa County; repealing Section 2 of Act No. 286, H. B. 197, passed at the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p. 328).

By Mr. Moses (with notice and proof):
S. 472. To amend Act No. 243, House Bill 685, approved August 13, 1957, (Acts of Alabama 1957, Page 308), Relating to Colbert County: To

authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county body may levy an additional county privilege or excise tax on tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

By Mr. Farmer:

S. 467. To amend Section 15 of Act No. 75 adopted at the First Special Session of the Legislature of Alabama of 1959 pertaining to records of the proceedings of and resolutions and ordinances adopted by Boards of Commissioners in certain cities having the commission form of government.

By Mr. Jones (with notice and proof)

S. 438. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Sessions et al (with amendment):

H. 1023. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal census; to authorize and empower the judge of probate in any such county to delegate and assign duties, ministerial functions and authority to the chief clerk and other clerks and personnel of such probate court and its divisions and offices; to delegate and assign to, and invest in the chief clerk of such probate court the title, duties and power of clerk of the probate court of such county, and to further prescribe the powers, duties and authority of such (chief clerk as) clerk and register of such probate court; to authorize the appointment of deputy clerks-registers in each office of such probate court from the personnel in such offices.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Locke et al (with notice and proof) (with substitute):

H. 1024. To levy a license tax in Jefferson County, Alabama, on persons and others engaged in selling alcoholic, spirituous, vinous, or fermented liquor at retail; to provide that the tax be measured by the kind and quantity of such beverages so sold; to provide for the payment of such tax, the making of records and reports, and the maintaining of records with respect thereto; to provide for the collection and distribution of said tax, and the enforcement of the provisions of this act; to provide that the County Commission of Jefferson County, Alabama, shall have authority to adopt ordinances, rules and regulations

pertaining to the collection of the tax, and the making of reports and maintaining of records with respect thereto, and providing that such ordinances, rules, and regulations shall have the force and effect of law; to provide that the tax imposed shall constitute a debt to the county and may be collected by civil suit in addition to all other methods provided by law; to provide penalties for the violation of the provisions of this act; to provide that the tax, together with interest and penalties with respect thereto, shall constitute, and be secured by, a lien upon the property of any person from whom the tax is due; to require any person or others engaged in selling alcoholic, spirituous, vinous, or fermented liquor to obtain a permit from the Department of Revenue of Jefferson County, and to file a bond in an approximate sum of two times the estimated average monthly tax; to provide that the revenue derived from the tax, less the cost of collection shall be used solely to care for indigent sick and injured persons, including the necessary facilities therefor, who are bona fide residents of the county. In the event that other taxes are levied for these purposes, then such tax shall be used for the construction and operation of an outpatient clinic.

BILLS ON THIRD READING RESUMED

The Bill:

S. 201. To amend Act Number 178, passed by the 1949 Legislature, so as to cause it to read as follows: AN ACT to promote education in this state by authorizing and empowering county governing bodies and the governing bodies of the municipalities in the State of Alabama to undertake research into the history of the State of Alabama, its several counties and municipalities, its coastline and boundaries, and of the territory included therein, its geological deposits, agricultural and marine data, its rivers, streams and harbors, its history from the earliest times and especially during the colonial period, A. D. 1519 to A. D. 1815, and such general historical data and information, and to effect the completion of the translations of such data and information, where such old official records are in foreign languages, and to effect the publication of these records for the free distribution to public libraries, school libraries and to college and university libraries within this state for the further diffusion of knowledge in reference to the history and resources of the State of Alabama and its several counties and municipalities and the encouragement in general of historical work and research into colonial records of the State of Alabama and for the free dissemination of such information, to authorize and empower county governing bodies and the governing bodies of the municipalities to make appropriations of county funds and of municipal funds for such purpose; to empower, county governing bodies and the governing bodies of the municipalities to enter into contracts with historical corporations, foundations or associations which are duly incorporated within this State in order to carry out the purpose of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Farmer	Green
Barnett	Crawford	Gaither	Haltom
Berryman	Dumas	Givhan	Hines
Caffey	Eddins	Godfrey	Jones

Porter	Samford	Turner	Wilson
Robison	Shelton	Webb	Wyatt

—23

Nays: —0

The Bill:

S. 378. To provide for the reimbursement to Mobile County of certain sums erroneously paid by the tax collector of such county into the state treasury instead of the treasury of Mobile County; and to make an appropriation for this purpose.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Samford
Barnett	Farmer	Hines	Shelton
Berryman	Gaither	Jones	Turner
Caffey	Givhan	Kendall	Webb
Cooper	Godfrey	Porter	Wilson
Crawford	Green	Robison	Wyatt
Dumas			

—24

Nays: —0

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Thirty-fourth Legislative Day was approved by the Senate.

ADJOURNMENT

The hour of 12 o'clock Midnight having arrived, the President and Presiding Officer of the Senate declared the Senate adjourned, to meet again, in accordance with motion heretofore adopted, and pending further consideration of H. B. 102, on Friday, November 6, 1959, at 12:01 A. M.

THIRTY-FIFTH LEGISLATIVE DAY

FRIDAY, NOVEMBER 6, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with Prayer by Honorable Robert R. Berryman, Senator from the 2nd Senatorial District.

ROLL CALL

Present:

Messrs.:	deGraffenried	Golson	Robison
Andrews	Dumas	Green	Samford
Barnett	Eddins	Haltom	Shelton
Berryman	Farmer	Hines	Turner
Caffey	Gaither	Jones	Webb
Cooper	Givhan	Kendall	Wilson
Crawford	Godfrey	Leonard	Wyatt

—27

JOURNAL

On motion of Mr. Robison, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business of yesterday which was the Bill:

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of five hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

As amended by the Conference Committee Report.

The question was on the passage of the Bill, as amended by said Conference report, which report is set out at length in the Journal of the Senate for the Thirty-fourth Legislative Day.

And the Bill, H. B. 102, as thus amended by the Conference Report, was again read at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Cooper	Givhan	Porter	Wilson
Crawford	Godfrey	Robison	Wyatt
deGraffenried	Green		

—25

Nays: Barnett and Golson —2

PAIRED VOTE ANNOUNCED

Mr. Leonard announced that he was paired with Mr. Archer on this vote; that Mr. Archer, if present, would vote "Yea", and he, Mr. Leonard, would vote "Nay".

MOTION

Mr. Robison moved that the Senate reconsider the vote by which it passed the Bill, H. B. 102, as amended by the Conference Report, and then moved that the Motion to Reconsider be laid on the table. The motion to table prevailed.

RECESS

At 12:35 A.M., on motion of Mr. Robison, the Senate took a Recess until 2 o'clock this afternoon.

AFTERNOON SESSION

THIRTY-FIFTH LEGISLATIVE DAY

FRIDAY, NOVEMBER 6, 1959

The Senate reassembled at 2 o'clock P.M., Lieutenant Governor Boutwell, presiding.

ROLL CALL

Present:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Hines	Samford	
Archer	Farmer	Jones	Shelton	
Barnett	Gaither	Kendall	Turner	
Berryman	Givhan	Leonard	Webb	
Caffey	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Graham	Roberts	Wyatt	
deGraffenried	Green	Robison		—34

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 855. To permit any water works board organized under the provisions of Sections 394 to 402, inclusive, of Title 37 of the Code of Alabama of 1940 which has acquired or may hereafter acquire a gas plant and system pursuant to Act No. 154 adopted at the 1947 Regular Session of the Legislature of Alabama, to issue revenue bonds for certain water works purposes and to pledge for payment of such revenue bonds not only water revenues, but also any available gas revenues and to provide that in order so to issue revenue bonds it shall not be necessary for such water works board to combine such water and gas systems.

Also:

H. 944. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 102. Relating to the small loan business; providing for the regulation, examination, investigation, and licensing of individuals, firms, and corporations engaged in the business of lending money in amounts of three hundred dollars or less, and for the suspension and revocation of such licenses; prescribing maximum rates of interest and other charges for loans; providing for the administration and enforcement of the Act; and prescribing penalties.

Also:

H. 910. Relating to the municipality of Ozark, in Dale County; To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Ozark, exempting annexed farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

Also:

H. 941. Relating to Clarke County; creating the office of Second Special Deputy Sheriff; and providing for the appointment, dutes, salary, and manner of payment of the salary of such Second Special Deputy.

Also:

H. 942. To amend Section 2 of Act No. 64, S. 11, approved April 13, 1955, entitled "An act relating to Clarke County; creating the office of Special Deputy Sheriff; and providing for the appointment, duties, salary, and manner of payment of the salary of such Special Deputy," (Acts of the 1955 second extraordinary session, Vol. 1, Page 175.)

Also:

H. 998. To alter, extend and rearrange the boundary lines and corporate limits of the City of Piedmont in Calhoun County, so as to annex certain territory to the city.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at lenght had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 475. To amend Section 1 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 537. To provide a retirement benefit to any state employee who had attained age 60 on or before October 1, 1945, who declined membership in the Employees' Retirement System of Alabama in the manner prescribed in Section 3 of Act 515 approved July 9, 1945, and who retires with a minimum of fifteen years of service as a state employee; and to provide a supplement to the retirement benefits of certain state employees who are now or will be retired by the Board of Control of the Employees' Retirement System under the provisions of Act 515, approved July 9, 1945; to set forth the requirements under which said retirement and supplemental benefits shall be granted; and to provide for the management of the fund from which said assistance payments shall be made; and to repeal Act 571 approved September 18, 1957 relating to certain benefits to retired state employees, and to provide the appropriation necessary to carry out the provisions of this act.

Also:

H. 762. To authorize the sale and issuance of not exceeding $3,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of constructing and equipping a hospital building to constitute a part of the University of Alabama Medical Center and to be used for the care and treatment of mental patients and for training of medical students in the field of mental illness; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary of that portion of the state taxes on the sale of spiritous or vinous liquors that is required by law to be paid into the Alabama Special Mental Health Fund; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregong bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 270. To dissolve the municipal corporation of Daleville, Dale County, revoke its charter, and provide for the disposition of its property and payment of its debts.

Also:

S. 286. Relating to municipalities having a population of not less than 40,000 nor more than 50,000, according to the last or any subsequent federal decennial census; providing optional forms of government which may be adopted by such municipalities; and providing the method by which any such municipality may adopt such an optional form of municipal government.

Also:

S. 366. To provide an additional expense allowance to the judge of the Twenty-fifth Judicial Circuit of Alabama.

Also:

S. 399. To extend, alter and rearrange the boundary lines and corporate limits of the City of Auburn, Lee County, Alabama.

Also:

S. 404. To amend Section 1 of Act No. 486, H. 765, approved July 9, 1943, an act providing for the appointment of a board of trustees to acquire, maintain, and protect certain properties and objects of historical interest located at the first permanent seat of government of the State of Alabama at Cahaba in Dallas County, (General Acts 1943, p. 449), so as to provide for the appointment of two additional members of the board of trustees of the Cahaba Historical Commission.

Also:

S. 418. To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts, 1949, Page 536, entitled: "To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

Also:

S. 428. To alter, rearrange and describe the boundary lines and corporate limits of the city of Alexander City, Tallapoosa County, Alabama.

Also:

S. 434. To require the tax collector of Mobile County to charge and collect the same fees, and to deduct from taxes collected by him the same commissions that are prescribed by the general law as compensation for tax assessors and tax collectors and to pay all such fees and commissions into the county treasury of Mobile County; and to repeal Act No. 241, H. 401 and Act No. 242, H. 473 of 1935 (Local Acts of Alabama of 1935, pages 139 and 141, respectively) and Section 1 of Act No. 191, H. 634 of 1955 (Acts of Alabama of 1955, page 476).

Also:

S. 440. To provide for the establishment and operation of a public clinic in the municipality of Uniontown, Perry County.

Also:

S. 441. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Bishop:

H. J. R. 92. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjjourn to meet again on Thursday, November 12, 1959, at eleven o'clock A.M.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 92, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 13. To provide that all powers, authority and duties of the Alabama Pension Commission shall be transferred and assigned to the State Department of Pensions and Security; to direct the State Department of Pensions and Security to carry out the provisions of law applicable to the payment of pensions to Confederate veterans and their widows; to provide for the transfer of all records, reports, books, accounts, documents, files and other recorded material of the Alabama Pension Commission to the State Department of Pensions and Security; to provide for the duties of the Commissioner of the State Department of Pensions and Security as related thereto; and to repeal Title 60, Chapter 1, Sections 2, 6, 10, 14, 41 and 42, Code of Alabama 1940 which

relate to the payment of pensions to Confederate veterans and their widows.

Also:

By Mr. Eddins:
S. 39. To establish a legislative committee to make an investigation to determine if certain businesses have formed a combination in restraint of trade or in preventing reasonable and fair competition, or have otherwise violated any of the monopoly or trust laws of this state; to provide for the selection of the committee, and to prescribe its powers, duties, and authority; to provide for the payment of the expenses of the committee out of funds appropriated for the use of the Legislature; to provide for the enforcement of the Act; and to prescribe penalties.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

By Mr. Dumas et al:
S. 123. To amend Section 107 of Title 17 of the Code of Alabama (1940), as amended by Act No. 584 of the 1949 Regular Session of the Legislature of Alabama (page 911 of Acts of 1949, approved September 19, 1949) which relates to instruction and assistance for voters at the polls where voting machines are used.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

By Mr. Andrews:
S. 111. To amend Section 6 of Act No. 27, S. 30, approved May 31, 1949 (Acts of Alabama, 1949, p. 39), which relates to the printing and publication of the acts and journals of the Legislature, by prescribing further the number of volumes of the bound acts to be printed and delivered to the Secretary of State.

Also:

By Mr. Andrews:
S. 112. To amend Section 274 of Title 17, Code of Alabama (1940), which requires candidates to file with the secretary of state or the judge of probate the name or names of persons selected to receive, expend, audit, and disburse moneys subscribed, donated, or contributed for the purpose of promoting or aiding the nomination or election of such candidates.

Also:

By Mr. Andrews:
S. 113. To amend Section 400 of Title 17, Code of Alabama (1940),

which requires candidates in primary elections to file statements of campaign expenditures.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 357. To authorize and encourage joint action and cooperation between cattle raisers, cattle dealers and other handlers of cattle for the purpose of stabilizing, protecting, and promoting the cattle and beef industry in Alabama; recognizing the Alabama Cattlemen's Association as the representative and agent of the cattlemen of the state for the purpose of initiating and conducting certain programs designed to stabilize, protect and promote the cattle industry; authorizing providing for and regulating the levying and collection of assessments on sales of cattle to provide funds to finance such programs; placing certain duties relative to such assessments on the commissioner and the department of agriculture and industries; providing for a refund of any assessment collected under authority of this act to any cattleman who is dissatisfied with the levy thereof; and prescribing penalties.

Also:

S. 172. Relating to commercial fertilizer and fertilizer material: To re-enact Section 292 of Title 2 of the Code of Alabama of 1940 heretofore repealed by Act No. 71 of the Legislature of 1951, approved June 6, 1951, said Section as re-enacted to require persons selling and shipping commercial fertilizer and fertilizer materials to notify the Commissioner of Agriculture and Industries of such sales and shipments for regulatory, control and statistical purposes.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 439. To further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures and facilities for use by or in the Office of Circuit Judge, Circuit Solicitor or in the Court room of each county in said Circuit.

Also:

S. 429. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 187. To permit the breeding of pen-raised quail for commercial purposes; to define pen-raised quail; to provide for the regulation of breeding pen-raised quail by the State Department of Conservation; to provide for the licensing of breeders of pen-raised quail; to provide the procedure for stamping carcasses of quail; to provide that an invoice shall be issued by the licensed breeder and shall be kept attached to such package until the quail are prepared for consumption; to provide that any person other than a retail vendor shall make a copy of the original invoice upon the resale of any such quail; to provide for the retention of records concerning the sale of such quail; to provide for the inspection of such records; to provide that persons shipping quail into this State shall be subject to the provisions of this Act; to provide for penalties; to repeal conflicting laws; and for other purposes.

Also:

S. 350. To make an appropriation from the state treasury for the relief of Hallie S. Chapman.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate.

S. 110. To amend Sections 278 and 279 of Title 17, Code of Alabama (1940), which relate to the filing of statements of election campaign expenditures.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 110, the title of which is set out in the foregoing Message from the House:

SUBSTITUTE FOR S. B. 110

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 278, 279, and 280 of Title 17, Code of Alabama (1940), which relate to the filing of statements of election campaign expenditures.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 278 of Title 17, Code of Alabama (1940), is amended to read as follows:

"Section 278. Statement of campaign expenditures filed. — Every committee appointed under this article and each and every political committee as defined in section 268 of this title, shall file in the office of the judge of probate of the county in which the candidate by which said committee was appointed resides, if such candidate is a candidate for state senator, representative in the legislature, or for any county office or position, or in the office of the secretary of state, if he is a candidate for a national or state office, or position, or for representative in congress, or judge or solicitor of any judicial circuit, and if the political committee be one in support or opposition to any measure or proposition submitted to the popular party vote, if such measure or proposition is submitted to the voters of the state, then in the office of the secretary of state, and if it be submitted to the voters of any particular county or district or circuit, then in the offices of the judges of probate of such counties, detailed, itemized, statements of all expenditures made. It is provided, however, that the committee of any candidate who is not opposed for nomination or election shall not be required to file such statements."

Section 2. Section 279 of Title 17, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 279. Within thirty days after the election, every committee shall file a statement giving in itemized, detailed form, including names, items and detailed amounts, covering all of the expenditures made directly or indirectly, and all obligations, debts or liabilities assumed or incurred at the time of filing of said statement. Such statement shall include the names of all contributors of amounts in excess of ten dollars, with amount given by each, and a list of all gifts, loans or contributions made. Such statement shall itemize all monies expended in sums over five dollars, and shall give the names of the various persons to whom such moneys were paid, the specific nature of each item, by whom the service was performed, and the purpose for which it was expended. There shall be attached to such statement an affidavit subscribed and sworn to by the treasurer of said committee setting forth in substance that the statement thus made is in all respects true, and that the same is a full and detailed statement of all moneys, securities or equivalents for money coming under the control or custody of the committee and by them expended directly or indirectly. If any statement required herein shall have been postmarked at any United States post office not later than midnight of the last day on which such statement is required to be filed, the committee mailing such statement shall be deemed to have complied with the requirements of this section as to filing such statement not later than such date."

Section 3. Section 280 of Title 17, Code of Alabama (1940), is amended to read as follows:

"Section 280. If such statement is filed by a committee on behalf of any candidate, there shall also be attached to such statement an affidavit subscribed and sworn to by said candidate, setting forth in substance that said statement is to the best of his knowledge and belief in all respects true, and that he has not in person made any expenditures or received any contributions which are not set forth and covered by said statement. The failure of any committee designated by any candidate to file the statements herein required in the form and at the time specified, is a corrupt practice."

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 28; Nay 1.

Yeas:

Messrs.:	deGraffenried	Green	Samford
Andrews	Eddins	Haltom	Shelton
Archer	Farmer	Hines	Turner
Barnett	Gaither	Leonard	Webb
Berryman	Givhan	Porter	Wilson
Caffey	Godfrey	Robison	Word
Cooper	Golson	Rutledge	Wyatt
Crawford			

—28

Nay: Mr. Dumas. —1

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Barnett, further consideration of the Bill, S. B. 360, was indefinitely postponed by the Senate.

On motion of Mr. Robison, further consideration of the Bills, H. B. 394 and H. B. 534, was indefinitely postponed by the Senate.

On motion of Mr. Cooper, further consideration of all of the Senate Bills on the calendar, with the exception of S. B. 79, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate.

By Mr. Andrews:
S. 53. To amend further Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama 1949, p. 601), entitled "An Act To provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws," so as to provide for absentee voting only by certain electors.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Andrews, the Senate concurred in and adopted the following amendment to the Bill, S. B. 53, the title of which is set out in the foregoing Message from the House:

HOUSE SUBSTITUTE FOR S. B. 53

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama 1949, p. 601), entitled "An Act To provide for ab-

sentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws," so as to provide for absentee voting only by certain electors.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2, 5, and 9 of the Act approved August 19, 1949 (Acts of Alabama 1949, page 601) entitled "An Act To provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws," as amended, are amended to read as follows:

"Section 2. (a) Any qualified elector of this state who is in service as a member of the armed forces of the United States, whose regular duty requires that he be absent from the county of his residence on the date any primary, general, special, or municipal election is to be held, and any qualified elector who is the wife of any such elector in service who resides with him at his duty station, or any qualified elector who is a disabled veteran confined in a facility or hospital operated by the Veterans Administration, may vote in the election in the manner and under the regulation hereinafter prescribed.

"(b) Any qualified elector of this state, whose name, at the time of any primary, general, special, or municipal election, appears on the official list of qualified voters in any county in the state, whose regular business or occupation regularly requires that he be absent from the county, and who may, at any primary, general, special, or municipal election held pursuant to law in this state by reason of his regular business or occupation, and in the performance of the duties thereof, being absent from the state, or from the county in which he is a qualified elector, may vote in such primary, general, special, or municipal election in the manner and under the regulations hereinafter prescribed, with like effect as if he were casting his vote in person at his regular and proper voting place. Such elector shall present himself to the board of registrars of his county at any time before March 1, 1960 or any subsequent year, at any regular or special meeting thereof for the purpose of having the board of registrars place his name on the list of qualified electors eligible to vote an absentee ballot in any primary, general, special, or municipal election held thereafter. The board of registrars shall ascertain from each person presenting himself before the board for the purpose of having his name placed on the list of qualified absentee voters, the name of the person, his address, age, whether or not he is a qualified elector of said county, the name and address of such person's employer and the exact nature of the duties of such person's employment. In the event the board of registrars finds that such person is a qualified elector of said county and is engaged in a regular business or occupation which regularly requires that he be absent from the county, the board of registrars shall place such person's name on the list of qualified electors entitled to vote an absentee ballot in any primary, general, special, or municipal election. Each board of registrars in the state shall, not later than March 15 of each year, prepare a list of the names of those persons enrolled on the qualified absentee voters list and file the same with the probate judge of their respective counties and with the Secretary of State.

"(c) The electors who register as absentee voters shall vote only in the absentee box, and shall not thereafter vote in any other manner, unless and until his name has been removed from the absentee voter list. The probate judge of each county, at the request of an elector made at least 30 days before any election, shall remove the name of the elector from the official list of absentee voters.

"(d) The Judge of Probate of each county in the State shall, not less than twenty-one days prior to the holding of any election to which this Act pertains, deliver to the register or person serving in his stead a list of those persons qualified to vote an absentee ballot.

"(e) The Judge of Probate shall, before the polls open at any election, cause to be delivered to the election officers of each polling place a list showing the name and address of every person whose name is on the list of those persons qualified to vote an absentee ballot at such polling place. The name of every such person shall be stricken by the election officials from the list of qualified electors kept at the polling place and the person shall not be allowed to vote at said polling place."

"Section 5. The official absentee ballots for any election to which the Act pertains shall be in the same form as the official regular ballots for the election, except that they shall bear printed thereon the words 'Official Absentee Ballot' and except that there shall be printed thereon one of the affidavit forms herein required. Further, each absentee ballot shall be in duplicate, the intent of this provision being that every absentee voter under this Act shall submit two copies of his completed ballot, one original and one carbon.

"Section 9. Any prospective absentee voter who meets the requirements prescribed in Section 2 (b), above, and whose name appears on the official list of absentee voters, may, not more than twenty days and not less than five days prior to the election at which he desires to vote, present himself before the register of the county wherein the election is to be held or before the person designated to serve instead of the register. If the name of the voter is on the official list of qualified voters of the county, and on the official list of qualified absentee voters for said county, and the register is satisfied that the voter is the person he claims to be, and a member of the party in which he claims to be a member, the register shall tender the voter the duplicate absentee ballot required for this Act, including necessary carbon paper, and the required envelope, first filling in the blanks in the upper left corners thereof. The official list of qualified voters herein referred to shall be furnished the register by the probate judge or other person preparing said list at least twenty-one days before the election.

"Any prospective absentee voter meeting the requirements of Section 2 (a) who is a member of the armed forces of the United States, or the wife of any such person, if she meets the requirements of said section, may, not more than forty-five nor less than five days prior to the election at which he or she desires to vote, make application for an absentee ballot, as herein provided to be made by a prospective voter in writing or by filling out the Federal post card application form, authorized and provided for under the provisions of 'The Federal Voting Assistance Act of 1955' (Public Law 296, Chapter 656, H. R. 4048, approved August 9, 1955, 84th Congress, 1st Session), and mailing such application to the register, or to the person designated to serve instead of the register. The affidavit herein provided to be attached to the absentee ballot shall be executed by the prospective voter in person before such commanding officer or authority in charge who shall certify to such fact. Such ballot shall be returned by United States mail to the register or to the person acting in his stead and shall be by him marked the day and hour of the receipt thereof. When received by the register or person acting in his stead, the ballot shall be handled and counted in the same manner as ballots voted before the register in person.

"Any disabled veteran meeting the requirements of Section 2 (a) may, not more than 45 nor less than five days before the election at

which he desires to vote, make written application to the register, or to the person designated to serve instead of the register, for an absentee ballot. Such application shall have attached thereto a certificate signed by the authority in charge of the hospital or facility, certifying that the applicant is a disabled veteran then confined to such hospital or facility. The voter may make the affidavit on the ballot before any officer authorized to administer oaths or before any officer of the hospital or facility and mail the ballot to the register or other person acting instead. Such ballot shall be handled and counted in the same manner as ballots voted before the register in person."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Samford	
Andrews	Eddins	Haltom	Shelton	
Archer	Farmer	Hines	Turner	
Barnett	Gaither	Jones	Webb	
Berryman	Givhan	Leonard	Wilson	
Caffey	Godfrey	Porter	Word	
Cooper	Golson	Robison	Wyatt	
Crawford	Graham	Rutledge		—30

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 261. To provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; to repeal all general acts of this State contained exclusively in Title 10, Code of Alabama 1940, as amended except the following: Title 10, Sections 16, 19 through 21, 48 through 69, 71 through 90, 102, 111 through 188, 198 (1) through 198 (6), and Sections 199 through 263, Code of Alabama 1940, as amended, and except any provisions of Title 48 or Title 51 of the Code of Alabama, 1940, as amended.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Caffey, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 261, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO SENATE BILL 261

Amend the title and Section 99 of Senate Bill 261 as follows:

Amend the title of Senate Bill 261 by striking therefrom the following language:

"To repeal all general acts of this State contained exclusively in Title 10, Code of Alabama 1940, as amended except the following: "Title 10, Section 16, 19 through 21, 48 through 69, 71 through 90, 102, 111 through 188, 198 (1) through 198 (6), and Sections 199 through 263, Code of Alabama 1940, as amended, and except any provisions of Title 48 or Title 51 of the Code of Alabama, 1940, as amended."

and substituting in the title in lieu thereof the following:

"subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940."

Amend the bill further by striking therefrom Section 99 in its entirety and substituting in lieu thereof the following:

Section 99. REPEAL OF PRIOR ACTS. Subject to the provisions of Section 100 hereof the following sections of the Code of Alabama of 1940 as amended are hereby expressly repealed: Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Samford	
Andrews	Eddins	Jones	Shelton	
Archer	Farmer	Kendall	Turner	
Barnett	Gaither	Moses	Webb	
Berryman	Godfrey	Porter	Wilson	
Caffey	Graham	Robison	Word	
Cooper	Green	Rutledge	Wyatt	
Crawford	Haltom			—29

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate.

S. 133. To revise and amend Title 24, Code of Alabama 1940, which relates to hotels and innkeepers.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Archer, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 133, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO SENATE BILL NO. 133

Section 13 of S. B. No. 133 is hereby amended by striking Section 13 in its entirety and substituting in lieu thereof the following:

"Section 13. Conditional liability. — Such hotel as shall maintain a safe depository and display notice as is required by the preceding section shall in no event and under no circumstances or conditions, be liable in any amount for any loss, damage or destruction of the valuables of a guest, by theft, burglary, fire or by any other cause whatsoever whether or not of a nature enumerated above, if the said valuables shall not have been left with the hotel, its clerk or agent, for deposit in said safe depository. (Whenever the phrase - loss, damage or destruction by theft or otherwise - is hereinafter used in this title, it shall include any loss, damage or destruction of the valuables, baggage or property of a guest, as the case may be, by theft, burglary, fire or by any other cause whatsoever whether or not of a nature enumerated above.) If a hotel maintains a safe depository and valuables are left by a guest with said hotel, its clerk or agent, for deposit in said safe depository, the limit of liability of said hotel for any loss, damage or destruction of said valuables, by theft or otherwise, shall be three hundred dollars, regardless of whether or not said hotel shall have displayed notice as required by the preceding section; provided, however, that upon accepting any such valuables said hotel must furnish to said guest a receipt upon which there shall appear in not less than ten point type on the face thereof the following words: "The liability for loss, damage or destruction of valuables by theft or otherwise, is limited by law to three hundred dollars ($300) unless otherwise provided by special written contract." There shall also appear on said receipt in not less than ten point type and underlined the following words: "If the guest is depositing valuables in the safe depository of the hotel for safekeeping which said valuables exceed in value the sum of three hundred dollars ($300), the guest may request the hotel to enter into a special written contract, to be supplied by the hotel, whereby the hotel agrees to assume liability for the value of said valuables, provided, however, that in no event and under no circumstances or conditions shall the hotel (1) be liable in excess of the actual value of said valuables regardless of the stated value thereof in said contract, and (11), be required to enter into a contract assuming liability in excess of five thousand dollars ($5,000) for the loss, damage destruction of said valuables by theft or otherwise regardless of the stated value or actual value thereof. Such contract must be in writing, signed by the guest and signed on behalf of the hotel by its manager, assistant manager, desk clerk, or other person in charge of or in authority in the hotel." Failure of the hotel to provide such receipt to any guest who leaves valuables with the hotel for deposit in its safe depository shall remove the three hundred dollar limitation of liability provided by this section.

Section 14 of S. B. No. 133 is hereby amended by striking out the words "except as is hereinafter provided in this section" where these words appear together in line six of the Section, and also by striking the entire second sentence of the Section which reads, "The limitation of liability hereinabove provided for in this section shall not apply if a written contract providing for a greater liability is entered into and executed by such guest and hotel".

Yeas 27; Nays 0.

Yeas:

Messrs.:	Archer	Berryman	Cooper
Andrews	Barnett	Caffey	Crawford

Eddins	Green	Moses	Shelton
Farmer	Haltom	Porter	Webb
Gaither	Hines	Robison	Wilson
Godfrey	Jones	Rutledge	Word
Graham	Kendall	Samford	Wyatt

—27

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 282. Relating to securities; prohibiting fraudulent practices in relation thereto; requiring the registration of securities dealers and salesmen and making unlawful the activities of unregistered securities dealers and salesmen; establishing the conditions precedent and concurrent to such registration; prohibiting the offer or sale of any unregistered security; requiring the registration of securities; and establishing the conditions precedent and concurrent to such registration; establishing the fees in connection with the registration of securities, securities dealers, and securities salesmen; setting out the grounds upon which a registration of securities may be denied, suspended or revoked; defining certain terms as used in this Act; exempting certain securities from registration under the provisions of this Act; exempting certain transactions from certain provisions of this Act; requiring the filing of a consent to service of process by securities dealers and salesmen and certain issuers; making it unlawful to file any false document or material and providing the punishment therefor; giving to the Securities Commissioner authority to investigate and subpoena witnesses and records in connection with investigations; granting authority for an examination fee and deposit to defray the expense of any investigation of an applicant under this Act; giving to the Securities Commissioner authority to enjoin acts in violation of this Act; creating criminal penalties for violations of this Act; establishing civil liabilities for the violation of the provisions of this Act; providing for judicial review of the orders of the Securities Commissioner; providing for the administration of this Act by the Securities Commissioner; directing said Commissioner to appoint an Assistant Commissioner and giving said Commissioner authority to appoint other personnel to carry out the purpose and intent of this Act; providing that any exemption under this Act must be proved by the person claiming said exemption; making the provisions of this Act severable; repealing the present Alabama Securities Law and related legislation; giving to the Commissioner authority to issue warnings to the public with respect to securities; making the sale of securities by an insolvent issuer unlawful; providing that all filing and registration fees shall be paid into the General Fund of this state and establishing the effective date of this Act.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Dumas, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 282, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO SENATE BILL 282

Amend Section 2, subsection (B) by striking out "(E)" in line 4 thereof and inserting in lieu thereof "(F)" and by striking out "(G)" in line 7 thereof and inserting in lieu thereof "(H)".

Amend Senate Bill 282 by striking from Section 9, Subsection (J), the language "and promising the payment of a fixed number of dollars either in a lump sum or periodically for life or some other specified period," immediately following the word "company" and preceding the word "bankers".

Yeas 27; Nays 0.

Yeas:

Messrs.:	Crawford	Green	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Hines	Turner	
Barnett	Farmer	Jones	Webb	
Berryman	Gaither	Kendall	Wilson	
Caffey	Godfrey	Moses	Word	
Cooper	Graham	Porter	Wyatt	
				—27

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 358. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing, or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 60, Nays 0.

And said bill, as thus amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 69, Nays 0.

And said bill, together with the Executive Amendment, is herewith returned to the Senate.

OAKLEY MELTON, JR.,
Clerk.

RESOLUTION

Mr. Andrews offered the following Senate Joint Resolution, to-wit:

S. J. R. 40. Resolved by the Senate, the House concurring, that the bill S. B. 53, which has passed both Houses, be designated and known as "The Andrews, Britton, Casey and Phillips Bill."

And on motion of Mr. Andrews, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill, and returns same herewith to the Senate:

By Mr. deGraffenried:

S. 280. To provide further for the service of process in civil suits growing out of motor vehicle accidents; providing an additional or alternative method of serving such process upon any person who was a resident of the State of Alabama when a motor vehicle, owned or operated upon the public highways in the State by such person was involved in an accident, but who has since absented himself from the State or concealed himself so that personal service cannot be had upon him.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. deGraffenried, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 280, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO SENATE BILL 280

Amend Senate Bill 280 by making Paragraph 7, Paragraph 8 and inserting paragraph 7 as follows:

"The method of serving process and securing service provided herein shall be available in any action now pending in the courts of the state and in any action which may hereafter be brought in the courts of the State."

Yeas 26; Nays 0.

Yeas.

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Hines	Turner	
Berryman	Farmer	Jones	Webb	
Caffey	Gaither	Leonard	Word	
Cooper	Godfrey	Moses	Wyatt	
Crawford	Graham	Porter		—26

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 812, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

October 30, 1959

TO THE HOUSE OF REPRESENTATIVES
STATE CAPITOL
MONTGOMERY, ALABAMA

Gentlemen:

I am returning to you, the body in which this bill originated, House Bill 812, with a suggested executive amendment, as follows:

Amend House Bill 812 by striking from Section 2 thereof the words and figures, "Upon every person, firm, or corporation engaged or continuing within Chilton County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character," and insert "Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within Chilton County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character,".

This bill is being returned with the full knowledge of the author of the bill, and if the above amendment is adopted, it will remove my objection to the bill.

Respectfully,

JOHN PATTERSON,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the Bill, H. 812 by a vote of Yeas 62, Nays 1, which was a majority of the whole number elected to the House.

And said bill:

H. 812. To levy additional county privilege license and excise taxes for publis school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 73, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Graham, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 812, the title of which and said executive amendment is set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Archer	Eddins	Kendall	Samford
Barnett	Gaither	Leonard	Shelton
Caffey	Givhan	Moses	Webb
Cooper	Godfrey	Roberts	Wilson
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Archer	Eddins	Kendall	Samford
Barnett	Gaither	Leonard	Shelton
Caffey	Givhan	Moses	Webb
Cooper	Godfrey	Roberts	Wilson
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays: —0

which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING

The Bill:

H. 994. To establish a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief or retirement and relief system heretofore established or hereafter established under Act Number 929 of Legislature of Alabama of 1951, Approved September 12, 1951 (Acts of Alabama 1951, page 1579 et seq. as amended) and on whose account, or for whose benefit, the city by whom they are employed makes no contribution, or pays no tax, to the United States of America under the Federal Social Security Act; to provide certain disability benefits for such firemen and policemen and also certain benefits for the widows and children of any such firemen or policemen who die; to make provision for a supplemental retirement benefit for such firemen and policemen, if and when said Act No. 929 is amended as stipulated in this act; to provide that from the funds of the system established by this act certain payments shall be made to the fund of the system established by said Act No. 929, subject to said Act No. 929 being amended so as to authorize the Board of Managers of the system created by said Act Number 929 to receive said payments; to establish a Board

of Managers for the pension system hereby created and to provide for the method of selection of the said board and to define the power, authority and duties of the said Board of Managers; to provide for the actuarial study, investigation and report showing the probable ability or inability of the fund hereby created to meet the benefits provided for by the system created by this Act; to provide for paying from funds of the system expenses incurred in securing any such actuarial study, investigation and report; to provide that at least sixty days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall give such opinion separately and severally with respect to each of the said benefits, and which said report or survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the fund, and if so, what change or changes he considers necessary; and to provide that the Board of Managers shall present to the members of the House of Representatives and the Senator designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 994

Amend Section 4 of House Bill 994 by deleting from the first line on page 8 A the word "Legislature" and put in its place the following words "said Board".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Hines	Rutledge
Barnett	Gaither	Jones	Turner
Berryman	Godfrey	Leonard	Webb
Caffey	Golson	Porter	Word
Cooper	Green	Roberts	Wyatt
Crawford			—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Berryman	Crawford	Gaither
Andrews	Caffey	Dumas	Godfrey
Barnett	Cooper	Farmer	Golson

Green	Leonard	Robison	Webb	
Haltom	Porter	Rutledge	Word	
Hines	Roberts	Turner	Wyatt	
Jones				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 837, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

October 30, 1959

TO THE HOUSE OF REPRESENTATIVES
STATE CAPITOL
MONTGOMERY, ALABAMA

Gentlemen:

I am returning to you, the body in which this bill originated, House Bill 837, with a suggested executive amendment, as follows:

Amend House Bill 837 by striking from Section 2 thereof the words and figures, "Upon every person, firm, or corporation engaged or continuing within Hale County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character," and insert "Upon every person, firm or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within Hale County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character,".

This bill is being returned with the full knowledge and approval of the author of the bill, and if the above amendment is adopted, it will remove my objection to the bill.

Respectfully,

JOHN PATTERSON,

JOHN PATTERSON,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 837 by a vote of Yeas 85, Nays 0, which was a majority of the whole number elected to the House:

And the bill:

H. 837. To levy additional county privilege license and excise taxes for public school purposes in Hale County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; pro-

viding for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 86, H. 388, approved June 21, 1957 (Acts 1957, vol. I, pp. 127-130).

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 86, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 837, the title of which and said executive amendment is set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Haltom	Samford	
Archer	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Turner	
Caffey	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Haltom	Samford	
Archer	Farmer	Jones	Shelton	
Berryman	Gaither	Kendall	Turner	
Caffey	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the

bill, H. 833, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

October 30, 1959

TO THE HOUSE OF REPRESENTATIVES
STATE CAPITOL
MONTGOMERY, ALABAMA

Gentlemen:

I am returning to you, the body in which this bill originated, House Bill 833, with a suggested executive amendment, as follows:

Amend House Bill 833 by inserting in Section 1 of the bill, after the first sentence, which ends with the words "tax levy", the following sentence: Provided, that the State of Alabama and the Alabama Alcoholic Beverage Control Board and ABC stores shall be exempt from any municipal tax so levied.

This bill is being returned with full knowledge and approval of the author of the bill, and if the above amendment is adopted, it will remove my objection to the bill.

Respectfully,

JOHN PATTERSON,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 833, by a vote of Yeas 86, Nays 0, which was a majority of the whole number elected to the House.

And said bill:

H. 833. To authorize, direct, and require the state department of revenue to collect any sales and use taxes which may be levied in the municipality of Double Springs, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said municipality; to prescribe the power, duties, and authority of the state department of revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 88, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Rutledge, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill,

H. B. 833, the title of which and said executive amendment is set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Green	Rutledge	
Archer	Eddins	Hines	Shelton	
Berryman	Farmer	Kendall	Turner	
Caffey	Givhan	Leonard	Wilson	
Cooper	Godfrey	Porter	Word	
Crawford				—24

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Green	Rutledge	
Archer	Eddins	Hines	Shelton	
Berryman	Farmer	Kendall	Turner	
Caffey	Givhan	Leonard	Wilson	
Cooper	Godfrey	Porter	Word	
Crawford				—24

Nays: —0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and return same herewith to the Senate:

S. 5. To repeal Title 51, Section 225, Code of Alabama, 1940 pertaining to reports of tax collectors.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate.

S. 3. To amend Title 51, Section 704, Code of Alabama, 1940, as amended, pertaining to ad valorem taxation of motor vehicles.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Haltom, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 3, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO S. B. 3

Amend S. B. 3 by striking out Section 2 and adding in lieu thereof the following:

"Section 2 — This Act shall take effect October 1, 1960"

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Rutledge	
Andrews	Eddins	Haltom	Samford	
Archer	Farmer	Hines	Turner	
Barnett	Gaither	Kendall	Webb	
Berryman	Givhan	Moses	Wilson	
Caffey	Godfrey	Porter	Wyatt	
Crawford	Graham	Robison		—26

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 284. To amend Act No. 743, H. 150, approved September 23, 1957 (Acts of Alabama, 1957, p. 1173), entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 192. To amend further Section 89 of Title 36, Code of Alabama 1940, which limits the size and weight of motor vehicles and loads.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 192. To amend further Section 89 of Title 36, Code of Alabama 1940, which limits the size and weight of motor vehicles and loads.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 354. To amend Section 1 of Act No. 296, page 493, 1945 General Acts of Alabama, approved July 7, 1945, entitled "An Act To amend Section 55 of Title 8 of the Code of Alabama 1940" which pertains to the fees of arresting officers in game and fish cases.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Nettles:

H. J. R. 89. WHEREAS, our friend and colleague, Joe McCorquodale, Jr., of Clarke County and his wife, Betty, were involved in an automobile acciden on last Saturday night, and

WHEREAS, Representative and Mrs. McCorquodale are now confined to the Druid City Hospital in Tuscaloosa, now

THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that the Legislature of Alabama expresses its concern over the welfare and condition of our colleague, Representative McCorquodale and his wife, Betty, and wishes both of them a speedy recovery and wants them to know that the members of this Legislature are thinking about them in their hour of suffering.

BE IT FURTHER RESOLVED that the Clerk of the House be directed to send a copy of this Resolution to Representative and Mrs. McCorquodale.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Porter, the Rules were suspended and the Resolution, H. J. R. 89, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Hanby:
H. J. R. 91. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, H. 533, which has passed both houses be designated and known as "The Hanby-Shelton Bill."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelton, the Rules were suspended and the Resolution, H. J. R. 91, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Goodwyn:
H. J. R. 95. WHEREAS, the life expectancy of citizens of Alabama is ever increasing; and

WHEREAS, Alabama already has a goodly number of citizens who have reached "The Golden Age"; and

WHEREAS, this State's society and economy have not been revamped to take into account the problems of the aging, and they are numerous, which have accompanied this increase in age of citizens of the State; and

WHEREAS, though the senior citizens of this State sorely need help in solving many of their problems, they also constitute a valuable asset to the State since by wise community planning many of their years of retirement can be converted into years of productive activity, filled with meaningful friendship and significant contributions to their communities; and

WHEREAS, communities throughout the State of Alabama will profit greatly by utilizing the knowledge, wisdom and experience possessed by many of our older citizens, which was acquired during a lifetime devoted to helping to bring about the amazing growth of the American economy, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ALABAMA LEGISLATURE, THE SENATE CONCURRING, that the first Sunday in May of each year be proclaimed by the Governor as "The Golden Age Sunday" and that this day shall be set apart in our homes, churches, and synagogues and other places of worship to show honor and respect to our senior citizens, and to give thanks to them for their enormous contributions to our State.

BE IT FURTHER RESOLVED that all the people of the State be asked at this time to lend their efforts, and lend all their talents to-

ward developing a plan and instituting a program whereby better homes, higher living standards, improved recreational and educational opportunities will be made available to this ever increasing number of our citizens, who so richly deserve the opportunity to live out their lives as useful citizens, having a definite place in the society of our State.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 95, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

POINT OF PERSONAL PRIVILEGE

Had I been present on the Thirty-fourth Legislative Day, at the time of the passage of the Conference Committee Report on H. B. 102, I would have voted "Aye".

JOE W. GRAHAM,
Senate, 15th District.

Had I been present on the Thirty-fourth Legislative Day, at the time of the passage of the Conference Committee Report on H. B. 102, I would have voted "Aye".

RUTLEDGE.

Had I been present on the Thirty-fourth Legislative Day, at the time of the passage of the Conference Committee Report on H. B. 102, I would have voted "Aye".

D. DONALD WORD.

REPORTS OF COMMITTEES

Mr. Dumas, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rast et al:

H. 256. Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the

Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act.

By Mr. Brannan et al:
H. 242. Relating to definitions of saving and loan associations; amending Section 211, Title 5, Code of Alabama, 1940, and in clarification of Section 250, Title 5, Code of Alabama, 1940.

By Mr. Brannan et al:
H. 245. Relating to accounts of deceased persons in a Savings and Loan Association. To whom and how paid.

By Mr. Oakley:
H. 418. To amend Section 445 of Title 37 of the Code of 1940 relating to the employment of an expert accountant for the annual examination of the books and accounts of municipal officials.

By Mr. Cornett et al:
H. 464. To provide for the patrolling and protection of private oyster reefs and to provide certain requirements of the owners or lessees of such private oyster reefs.

By Messrs. Merrill and Thomas:
H. 775. To amend Section 125 of Title 12, Code of Alabama 1940, which relates to the interest rate and maturity of temporary loans made by county governing bodies in anticipation of taxes.

By Messrs. Hanby and Copeland:
H. 813. To validate certain elections held in the year 1958 under the provisions of Articles 6 and 7, Chapter 10, Title 52, Code of Alabama (1940), and Section 216, Article 11, Constitution of Alabama.

By Mr. Roberts:
H. 843. To redefine the term "authorized emergency vehicle" as used in Chapter 1 of Title 36, Code of Alabama 1940; amending further Section 1 of said Title 36, Code 1940.

By Mr. Dodd et al:
H. 373. To amend Section 171 of Title 7, Code of Alabama 1940, relating to actions for validation of obligations of political subdivisions of the state.

By Mr. Johnson (Tallapoosa):
H. 962. Prescribing duties and powers of stenographic secretary of Circuit Solicitor of Fifth Judicial Circuit.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:
H. 984. To amend further Section 152 of Title 41, Code of Alabama 1940, which relates to the salaries and compensation payable to certain officers and employees of the State of Alabama.

By Messrs. Smith (Russell) and Pruitt:
H. 1116. To make an additional appropriation for payment of expenses of the Legislature.

By Mr. Hocklander:
H. 952. To provide for an additional judge of the Thirteenth Judicial Circuit of Alabama.

By Mr. Roberts:
H. 1032. To amend Act No. 476, H. 627, approved September 9, 1955, which creates the office of deputy circuit solicitor in the twenty-third judicial circuit and provides for the appointment, duties and compensation of such officer.

By Messrs. Boyd and Bassett:
H. 1010. For the relief of L. B. Kilpatrick, contractor: To make an appropriation of State Highway Departments funds to compensate such contractor for certain construction work done on Alabama Highway projects, S-522(2) Shelby County, $16,323.51; Coffee County S-886, S-887, S-888, S-889, $3,419.03. Total $19,742.54.

By Messrs. Bailey and Pierce:
H. 552. To amend Section 91 of Title 8, Code of Alabama 1940, as amended by Act No. 707, 1951 Acts of Alabama, Vol. II, page 1246 approved September 5, 1951, entitled "An Act To amend Section 91 of Title 8, Code of Alabama 1940, which relates to licenses to capture and kill fur-bearing animals."

By Messrs. Bailey and Pierce:
H. 553. To amend Title 8, Section 98, Code of Alabama 1940 pertaining to transporting furs, pelts, etc. without having fur catchers license.

By Messrs. Bailey and Pierce:
H. 554. To amend Title 8, Section 97, Code of Alabama 1940, pertaining to funds from the sale of fur catchers licenses.

By Messrs. Bailey and Pierce:
H. 555. To repeal Title 8, Section 99, Code of Alabama 1940, pertaining to receiving furs, pelts, etc., when license not issued.

By Mr. Bevill et al:
H. 893. To make an appropriation for a tentative or preliminary survey of the Mulberry Fork of the Black Warrior River for the purpose of promoting the development of a waterway system connecting the Tennessee River and the Warrior River in the State of Alabama.

By Mr. Hocklander et al:
H. 342. To amend Section 1 of Act No. 455, 1945 General Acts of Alabama, page 689 approved July 6, 1945, entitled an Act "To authorize the Department of State Docks and Terminals of the State of Alabama to carry fire and casualty and public liability insurance of all kinds and to pay the premiums thereon and to fix the liability in connection therewith and to authorize suits directly against the insurance carriers on any such policies and to repeal all laws, or parts of laws, in conflict herewith."

By Messrs. Hocklander, Pruitt and Brannan:
H. 343. To provide for the management, control and ownership of McDuffie Island in Mobile Bay; to provide for the transfer of deeds and records to the Department of State Docks pertaining to McDuffie Island; to provide for the lease, sale or other disposition of properties on McDuffie Island; to provide for the disposition of all revenues obtained from the sale or other disposition of lands on McDuffie Island; to repeal all laws in conflict with the provisions of this act.

By Messrs. Smith (Russell), Adams (Tallapoosa) and Ashworth:
H. 616. To create the position of Chief Engineer in the State Highway Department; to provide for his appointment, qualifications, duties, responsibilities and salary; and to provide for the effective date of this Act.

By Messrs. Hawkins, Lee and Guthrie:
H. 660. To provide that the State Budget Officer shall be the Deputy Director of Finance; To provide for the duties and compensation therefor.

By Mr. Lee:
H. 774. To make an appropriation to the Water Resources Study Commission for each of the two fiscal years ending September 30, 1960 and September 30, 1961 for expenditure by said Commission in the performance of its duties.

By Mr. Smith (Russell):
H. 683. To amend Act No. 664, H. 791, approved July 5, 1940 (General Acts of Alabama, 1939, p. 1050), which provides for the levy, assessment, and collection of mileage taxes from motor carriers in the State of Alabama, so as to eliminate the imposition of such tax on vehicles transporting property for hire.

By Mr. Smith (Russell):
H. 684. To amend further Section 713, Title 51, Code of Alabama (1940), which relates to the distribution of motor vehicle and trailer license tax funds.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Smith (Russell) (with substitute):
H. 685. To amend Section 703, Title 51, Code of Alabama (1940), which relates to the license tax payable on trailers and semi-trailers.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Smith (Russell), Adams (Tallapoosa) and Ashworth:
H. 615. Relating to the traveling expenses allowable to state officers and employees; amending further Section 154 of Title 41, Code of Alabama 1940.

By Messrs. Smith (Russell), Brannan, Hocklander and Trimmier:
H. 745. To amend Section 2, Item III, B (4) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

By Messrs. Ferguson, Callahan and Turnham:
H. 802. To authorize the state board of education and the boards of trustees of all state institutions to make investments of endowment funds and other funds held for investment in the same manner as the Teachers Retirement System of Alabama is authorized to make.

By Mr. Merrill et al:
H. 522. To amend Section 3 of an act approved July 9, 1943, creating the Elementary Teachers Scholarship Fund (Act No. 535, S. 371, General Acts 1943, p. 509) so as to provide that funds available to each teachers college for the purpose of making scholarship grants directly may be used instead to match federal funds made available for a like purpose.

By Messrs. Camp and Nichols:
H. 302. To make an appropriation for the relief of Leroy Lackey Company, Inc.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cornett et al (with substitute):
H. 469. To amend further Section 154 of Title 8, Code of Alabama 1940 providing for licensing the use of seines, trawls, and other devices to catch salt water shrimp, in relation to the use of trawls.

Mr. Robison, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Pierce, Goodwyn and Bailey:
H. 827. To amend Section 695, Title 51, Code of Alabama 1940, in relation to an apportionment of the license taxes payable by certain common carriers of passengers.

By Mr. Adams (Houston):
H. 839. To amend Sections 4 and 7 of Title 51, Code of Alabama 1940, which relate to applications for exemptions of factories, industries, and plants from ad valorem tax.

By Messrs. Nichols and Camp:
H. 752. To make additional appropriations to the State Department of Education for each of the fiscal years ending September 30, 1960, and September 30, 1961.

By Messrs. Oakley, Merrill and Lee (Barbour):
H. 372. To amend further the act approved July 7, 1945 (Act No. 412, S. 261, Gen. Acts 1945, p. 647) providing for the adoption, selection, purchase, and distribution of textbooks to be used in the tax-supported public schools of Alabama .

By Messrs. Harvey, Johnston (Leonard) and Nettles:
H. 931. Relating to schools; to provide for a Committee on Courses of Study; to prescribe the qualification and compensation of its members; to define its duties; and to repeal Sections 404, 405, 406, 407 of Title 52, Code of Alabama 1940 as amended.

By Mr. Nettles:
H. 831. To provide for grants in aid for educational purposes and for the administration and enforcement of the Act.

By Mr. Rast et al:
H. 662. For the relief of Robins Engineering, Inc: To make an ap-

propriation of State Highway Department funds to compensate such company for certain construction work done on Alabama Highway Project S-532-B Lauderdale County, Alabama.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Murphy:

H. 653. To amend Act No. 245, H. 343, approved June 26, 1945 (General Acts of Alabama, 1945, p. 367), which created the office of Commissioner of Licenses in counties having a population of not less than 140,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal census, and which provided for his election, term, powers, duties, authority and compensation.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Roberts (with amendment) (with notice and proof):

H. 1031. Providing further for the election and organization of the council in all cities having a population of not less than 14,000 nor more than 19,000, according to the last or any subsequent federal decennial census, and operating under the mayor-council form of government; providing for the election of councilmen by place and number; and prescribing additional qualifications for candidates seeking election to such council.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Godfrey:

S. 473. To create a solicitor's fund in the ninth judicial circuit of Alabama; to provide for the appropriation of moneys to said fund from solicitor's fees taxed and collected in all criminal cases in all courts in the ninth judicial circuit; and to authorize expenditures of said fund by the circuit solicitor for law enforcement and the discharge of the duties of his office.

By Messrs. Trimmier and Hocklander (with notice and proof):

H. 719. Relating to the City of Mobile; to provide for a separate Mobile Urban Renewal Agency to plan or carry out any redevelopment or urban renewal project in such municipality if the governing body of the municipality by resolution declares that there is need for such Agency; to provide the number, method of appointment and terms of office of the commissioners of said Mobile Urban Renewal Agency; to provide the powers of said Mobile Urban Renewal Agency; to provide that such Urban Renewal Agency shall not have authority to construct or operate any dwelling accommodations except that it may temporarily operate dwellings and real property acquired in a project area pending disposition; to provide that any existing municipal housing authority of said City shall not, after appointment of the Commissioners of said

Mobile Urban Renewal Agency, have power to plan or carry out any redevelopment project or urban renewal project except as stated in this Act; to provide for the transfer of all assets and liabilities in connection with an existing project which is taken over by said Mobile Urban Renewal Agency; to supplement Title 25 of the Code of Alabama of 1940, relating to Housing as amended and supplemented by any acts of the Legislature of Alabama heretofore enacted, including the following: Act No. 614 of the General Acts of 1939, approved July 10, 1940; Act No. 466 of the General Acts of 1943, approved July 7, 1943; Act No. 541 of the General Acts of 1943, approved July 7, 1943; Act No. 490 of the General Acts of 1949, approved August 30, 1949; Act No. 491 of the General Acts of 1949, approved August 30, 1949; Act No. 193 of the General Acts of 1951, approved July 9, 1951; Act No. 776 of the General Acts of 1951, approved September 11, 1951; Act No. 590 of the General Acts of 1953, approved September 11, 1953; Act No. 553 of the General Acts of 1955, approved September 9, 1955; Act No. 554 of the General Acts of 1955, approved September 9, 1955; to repeal any act or law inconsistent herewith; and to provide that if any portion of this act is held unconstitutional, such holding shall not affect the other parts thereof:

By Mr. Grouby et al:

H. 754. To provide for and regulate elections in the cities and towns of this state which have a commission form of government, and which have a population of less than 325,000 inhabitants according to the 1950 decennial census; designating the date for regular elections, and authorizing the board of commissioners to call special elections; prescribing the manner of giving notice of municipal elections, of designating voting places, and of preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes, and making returns of elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid for by the city or town holding such elections.

By Messrs. Murphy and Hocklander:

H. 1000. To propose and provide for the submission of an amendment to the Constitution of Alabama amending Amendment XVIII to said constitution, which pertains to Mobile County and the issuance of bonds and the levy of an ad valorem tax by said county for certain specified purposes.

The above bill was read a second time at length as required by the Constitution.

By Messrs. Murphy and Hocklander:

H. 1001. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County to issue its general obligation bonds not exceeding $3,000,000 in principal amount for capital improvements in said county, including not exceeding $1,000,000 principal amount for public school houses and not exceeding $2,000,000 principal amount for public hospital buildings, said bonds to be secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said constitution, and authorizing the continued levy and collection of said tax for payment of bonds issued hereunder.

The above bill was read a second time at length as required by the Constitution.

By Mr. Bishop (with notice and proof):

H. 1013. To amend further Section 5 of Act No. 32, H. 162, approved June 27, 1947 (Local Acts of Alabama, 1947, p. 25), entitled "An Act To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," by providing further for the compensation of the judge of the Colbert Law and Equity Court.

By Mr. Hankins (with notice and proof):

H. 1014. To regulate further payment of compensation to deputy sheriffs by Lamar County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the County public highway and traffic fund.

By Messrs. Copeland and Hanby:

H. 1070. To provide for the compensation of special bailiffs in the circuit courts of all counties having a population of not less than 80,000 nor more than 94,000, according to the most recent federal decennial census.

By Mr. Hankins (with notice and proof):

H. 1074. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Millport, Lamar County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

By Mr. Salter:

H. 1080. To provide for special meetings of the boards of education of all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census

By Mr. Brannan (with notice and proof):

H. 1082. To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County.

By Mr. Gordon (with notice and proof):

H. 1083. To provide a salary for the Coroner of Blount County, and to describe the manner of payment thereof: and making this Act effective upon approval of the voters of the county voting at a referendum.

By Mr. Gordon (with notice and proof):

H. 1084. Providing for the appointment of a clerk or secretarial assistant for the County Solicitor of Blount County, and for the payment of the compensation of such clerk or assistant from the County Treasury; and making this Act effective upon the approval of the voters of the County voting at a referendum.

By Mr. Guthrie (with notice and proof):
H. 1085. To alter, rearrange, and extend the boundary line of the City of Cullman, in Cullman County, Alabama.

By Messrs. Grant and Daniel (with notice and proof):
H. 1086. To empower the county board of education of Marengo County to authorize the use of school buses for transporting persons to and from certain educational, civic and recreational functions, meetings, gatherings or encampments.

By Mr. Adams (Houston) et al (with notice and proof):
H. 1026. To further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the payment of any expenses necessarily incurred for law enforcement; and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures and facilities for use by or in the Office of Circuit Judge, Circuit Solicitor or in the Courtroom of each county in said Circuit.

By Mr. Turner (with notice and proof):
H. 1027. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

By Mr. Turner (with notice and proof):
H. 1029. To amend further Section 3 of Act No. 199, H. 603, approved July 24, 1947 (Local Acts 1947, p. 113), an act to create and establish in Limestone County a court known as "The Limestone County Court", in relation to the compensation of the judge of the court.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Roberts (with amendment):
H. 1036. To supplement the state salary payable to circuit judges by payments from the county treasury in all judicial circuits composed of only one county which has a population of not less than 65,000 nor more than 75,000, according to the most recent federal decennial census.

Mr. Gaither, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Ashworth (with notice and proof):
H. 1065. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

By Mr. Gordon (with notice and proof):
H. 1066. To amend Section 2 of Act No. 57, H. 54, approved February 7, 1956 (Acts of Alabama, Special Sessions 1956, p. 86), the act levying a one cent per gallon tax on gasoline, kerosene, and diesel fuel sold, distributed, stored, or used in Blount County, by exempting liquefied petroleum gas, butane, and propane, sold for heating, cooking, and lighting purposes.

By Messrs. Perry et al:

H. 1093. To apply to counties having a population of 500,000 or more according to the last or any subsequent federal census; to provide for a study of judicial practice and procedure and court operation in such counties; to establish and provide for the composition of a "Commission for judicial study"; to state the powers, authority and duties of such commission; and to provide for the financing of the work of the commission.

By Mr. Morrow et al (with notice and proof):

H. 1094. To vacate the following described land dedicated or conveyed for a park and to vacate all public interests therein and rights thereto: A strip of land of indefinite width lying Southwesterly of and adjacent to Crestview Subdivision, which subdivision is located in the SE¼ of SW¼, Section 4, Township 19 South, Range 3 West and the NE¼ of NW¼, Section 9, Township 19 South, Range 3 West, and recorded in Deed Book 1241, Page 294, in the Probate Court, Birmingham, Alabama, and Bessemer, Alabama. Excepted from the above is a strip of right of way lying west of, parallel to and abutting the west line of said subdivision.

By Mr. Perry et al (with notice and proof):

H. 1095. To provide for the relief of John Hollis Camp out of the County Treasury of Jefferson County, Alabama.

By Mr. Morrow et al:

H. 1096. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 500,000 or more according to the last or any subsequent Federal census, in 1961, 1971 and in each tenth year thereafter; and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

By Mr. Locke et al:

H. 1097. To provide that any city which may now or hereafter have a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census and which may now or hereafter have in force and effect a comprehensive zoning ordinance shall provide for the appointment of a Zoning Board of Adjustment; and to prescribe the power, jurisdiction and authority of such Board.

By Mr. Locke et al:

H. 1098. To apply to all counties in the State of Alabama having a population of 500,000 persons or more according to the last or any subsequent federal census, to provide that the governing body of each such county shall have authority to purchase, acquire and maintain one unmarked or undesignated passenger automobile for official use, said car to be serviced by the county and to provide for the payment and expenses of its upkeep.

By Mr. Sessions et al:

H. 1099. To amend Section 2 of an act entitled "an act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal Census, a countywide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located there-

in, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the County affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof." (Approved July 6, 1945, General Acts of Legislature of Alabama, 1945, page 376.)

By Messrs. Hocklander and Reynolds (Chambers) (with notice and proof):

H. 1117. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide further for the compensation of the chief clerk in the office of the sheriff.

By Mr. Salter (with notice and proof):

H. 1111. To amend further Act No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties, and authority of the county superintendent of education of Conecuh County (Local Acts 1939, p. 319), in relation to the compensation and expense allowance of the county superintendent of education; repealing Act No. 152, H. 402, approved June 30, 1953 (Acts of Alabama, 1953 Reg. Sess., vol. I, p. 192) and all conflicting laws.

By Messrs. Callahan and Ferguson:

H. 1110. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

By Messrs. Callahan and Ferguson:

H. 1108. To fix the supplemental salaries of Circuit Solicitors in Judicial Circuits in Alabama composed of one county where the population of such county exceeds 94,000 people and is less than 134,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

By Mr. Hearn (with notice and proof):

H. 1107. To provide that the County Board of Revenue and Control or its successors in office or other governing body of Marshall County shall, upon the passage and approval of this bill shall have the right, in its judgment, after investigation of the necessity therefor,

in the Register's office in said County, to authorize the Register to employ some person who shall have the ability to take shorthand notes and transcribe the same, to work therein, take testimony, transcribe their notes and do any other thing that a Deputy Register could do under the law and to fix the salary of such person at not less than $250.00 nor more than $300.00 per month, to be paid to the Register for such services or to such person as the Register may appoint thereto. Said salary to be paid out of the general Fund of Marshall County.

By Mr. Cabiness:

H. 1091. To provide that Justices of the Peace, in all Counties having a population of not less than 38,750 and not more than 39,250 according to the last or any subsequent Federal decennial census, shall not have any jurisdiction over any criminal offense, unless, there is no other Court or Courts existing in any such County which can lawfully exercise jurisdiction over such offense; to abolish the criminal jurisdiction of Justices of the Peace in such Counties and to confer the same upon other Court or Courts existing in such Counties which can lawfully exercise such jurisdiction.

By Messrs. Perry et al (with notice and proof):

H. 1136. To establish an inferior court to be called the Intermediate Civil Court of Bessemer; to provide for the Judge, Clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said Court, to provide for the transfer of causes from said Court to the circuit court; and to provide for appeals from said Court and regulate the manner of taking same.

By Messrs. Perry et al (with notice and proof):

H. 1137. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called The Bessemer Common Claims and Criminal Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

By Messrs. Perry et al:

H. 1106. To amend further Section 22 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), an Act relating to a personnel system for certain counties in the State.

By Messrs. Perry et al (with notice and proof):

H. 1105. To extend, alter and rearrange the boundary lines and corporate limits of the city of Irondale in Jefferson County, Alabama, so as to include within the corporate limits of said city of Irondale all territory now within such corporate limits and also certain other territory contiguous thereto.

By Messrs. Sessions et al (with notice and proof):

H. 1126. To alter and extend the boundaries of the City of Leeds, Alabama.

By Mr. Steagall:

H. 1132. To provide for the compensation of the county or deputy solicitor in all counties having a population of not less than 20,500 nor more than 20,830, according to the most recent federal decennial census.

By Messrs. Perry et al:

H. 1104. To apply in all counties of the State having a population of not less than 500,000 according to the last or any subsequent Federal decennial census; to authorize the county commission of any county to which this act applies to call an election for the approval or disapproval of central daylight savings time; providing for the ordering and holding of such election.

By Messrs. Sessions et al:

H. 1102. To apply in counties which now have or which may hereafter have a population in excess of 500,000 according to the last or any subsequent federal decennial census; providing for the use and disposition of sums in the amount of less than one dollar ($1.00) which come into the hands of the License Commissioner, Director of the Department of Revenue or such other official as may be by law charged with responsibility for the collection and remittance of licenses and license fees, as a result of overpayment for licenses or other fees.

By Messrs. Sessions et al:

H. 1100. To amend Section 440 of Title 37 of the Code of Alabama, 1940, as last amended.

By Messrs. Thomas and Lee (with notice and proof):

H. 1012. To provide for the recording of conveyances in Barbour County, and to repeal Sections 2, 3, 4 and 5 of Act No. 270, approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296.

By Messrs. Sessions et al:

H. 1021. To authorize the probate judges of all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent federal decennial census, to destroy or otherwise dispose of certain papers and documents filed for record in his office under certain conditions.

By Mr. Cates (with notice and proof):

H. 1079. To establish a Law and Equity Court for Shelby County, Alabama: to define its jurisdiction and powers; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide a Court Reporter for said Court, whenever needed, and to fix and prescribe his duties and compensation; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Shelby County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the County Court of Shelby County, Alabama.

By Mr. Gordon (with notice and proof):

H. 513. Relating to Blount County; abolishing the board of finance and control created by Act No. 334, H. 954, approved September 2, 1955, and restoring and re-establishing the court of county commissioners of Blount County in lieu thereof; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

By Messrs. Cates and Speaks (with notice and proof):

H. 970. To apply only in Chilton County: To require railroads to install and maintain flashing electric signals or other similar warning devices at every intersection of their tracks with a federal or state highway or a county road where there is a grade crossing in Chilton County, when requested to do so by the state highway department or the county governing body; and to prescribe penalties.

By Mr. Sessions et al (with notice and proof):

H. 990. To amend Section 288 of Title 62 of the Code of Alabama of 1940.

By Mr. Sessions et al:

H. 991. To repeal Act No. 430 of the 1957 Regular Session of the Legislature of Alabama, approved September 6, 1957 (Acts of Alabama Regular Session 1957, page 593) entitled "An Act, To Authorize, Regulate and Provide For the payment of supplemental benefits to certain beneficiaries of municipal employees' penson, relief or retirement systems in cities in this state having a population of three hundred thousand or more, according to the last or any subsequent federal decennial census".

By Mr. Oden (with notice and proof):

H. 1002. To re-establish the County Court of Franklin County in lieu of the Law and Equity Court of Franklin County; abolishing the Law and Equity Court; providing for the transfer of the cases pending therein to the court hereby established or to the circuit court; defining the jurisdiction of the court hereby established; providing it with officers; defining their powers, duties, salaries, compensation, term of office and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; and providing for appeals from the court hereby established.

By Mr. Oden (with notice and proof):

H. 1004. Relating to Franklin County; fixing the compensation of members of the board of revenue, court of county commissioners, or other like governing body of Franklin County, and providing for the manner of payment thereof.

By Mr. Roberts (with notice and proof):

H. 1034. To provide for reimbursement of expenses incurred by members of the Board of County Commissioners of Madison County in the performance of their duties.

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa) (with notice and proof):

H. 1006. Relating to Tallapoosa County: To impose extra, new and additional duties upon members of the Court of County Commissioners and to provide additional compensation for the performance of such duties.

By Mr. Meade (with notice and proof):

H. 1124. To provide for the compensation of the coroner of Cherokee County.

By Mr. Hocklander et al (with notice and proof):

H. 1121. To alter, rearrange and add to the limits of the City of Chickasaw, Alabama and to describe the area added to the said limits of the said City.

By Messrs. Hocklander and Reynolds (Chambers) (with notice and proof):

H. 1122. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

By Mr. Salter (with notice and proof):

H. 1125. To authorize the court of county commissioners, board of revenue or other like governing body of Conecuh County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Conecuh County public highway and traffic fund.

By Mr. Bishop (with notice and proof):

H. 1131. To amend Act No. 243, House Bill 685, approved August 13, 1957, (Acts of Alabama 1957, Page 308), Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county body may levy an additional county privilege or excise tax on tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

By Mr. Adams (Tallapoosa) and Mr. Johnson (Tallapoosa) (with notice and proof):

H. 1134. To alter, rearrange and extend the boundaries of Dadeville, Tallapoosa County; repealing Section 2 of Act No. 286, H. B. 197, passed at the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p. 328).

By Mr. Oden (with notice and proof):

H. 1005. To amend further Section 1 of Act No. 201, approved July 13, 1951, entitled "An Act relating to Franklin County; authorizing the sheriff to appoint a deputy sheriff in addition to the deputies heretofore provided by law, fixing his compensation, and providing that the same shall be paid by the county", in relation to the amount of such deputy's compensation.

By Mr. Turner (with notice and proof):

H. 1028. To amend Section 1 of Act No. 10, S. 3, approved July 19, 1950 (Acts 1950-1951, Vol. I, p. 27), an act relating to the compensation and duties of the superintendent of education of Limestone County.

By Mr. Roberts (with notice and proof):

H. 1030. To levy in Madison County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in such county of cigarettes; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes; to provide that the tax shall be in addition to all other taxes now levied by law except license or privilege taxes levied on the sale of cigarettes by the municipalities in such county, which are

hereby repealed; to require the affixing of stamps to the packages of cigarettes to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

By Mr. Brannan (with notice and proof):

H. 1011. To amend Section 2 as amended of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of office of the sheriff appointing such deputy, approved May 28, 1931, reported, Local Acts Alabama 1931, pages 83-84.

By Mr. Harris (with notice and proof):

H. 1016. To amend Act No. 31, H. 256, approved June 17, 1957 (Acts of Alabama 1957, p. 77), entitled "An Act relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the county and officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including DeKalb County's proportionate share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicle license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws."

By Mr. Locke et al:

H. 1019. To apply in and only in counties in Alabama now having or which may hereafter have a population of 500,000 or more, according to the last or any future federal census; to further provide the manner of entering payment or satisfaction on the margin of the record of the mortgage or deed of trust or other lien; to authorize and

empower the Judge of Probate to delegate the authority and power to any clerk of such probate court to enter on the margin of the record the payment or satisfaction of the mortgage, deed of trust, or other lien, where the judge of probate is named in any power of attorney instrument duly recorded, authorizing such entry of satisfaction, and to sign or stamp the name of such judge as attorney in fact to such marginal satisfaction record; and to authorize the collection of a fee of fifty cents for each such entry on the margin of each such document record.

By Mr. Perry et al:

H. 1020. To provide that in any county of the state having a population of 500,000 or more according to the last or any subsequent federal census, any person who, in payment of any privilege or license tax due the state or the county, issues a worthless check, or a check which is not paid by the bank upon which it is drawn shall be subject to a penalty, and to provide that any license procured by or through such check shall be void and that no other business license shall be issued to the person drawing such check until the said penalty has been paid.

By Mr. Sessions et al:

H. 1022. To authorize and empower the Judge of Probate and the Chief Clerk of the Probate Court to install and maintain improved systems of indexing in all probate courts in counties having a population of not less than 500,000 inhabitants according to the last or any subsequent federal census; to authorize the indexing of all estates and other cases in alphabetical order and to use card or strip indexes; and to authorize direct and reverse index of all real property instruments, and direct and reverse index of all personal property instruments and miscellaneous instruments, in alphabetical order; and to authorize the use of card or strip indexes in the office of the judge of probate in such counties; and to authorize the county commission or like governing body to approve of the purchase of all equipment, files and supplies necessary to install and maintain such index systems.

By Messrs. Copeland and Hanby (with notice and proof):

H. 1088. To abolish the Etowah County Law Library Fund which was created by Act No. 482, H. 1036, approved August 30, 1949; to provide for the transfer of any moneys in such abolished fund to the Ttowah County Law Library Fund established pursuant to Act No. 197, H. 596, which became law on August 1, 1955, and to authorize the expenditure of such moneys after being so transferred.

By Mr. Sessions, et al (with notice and proof):

H. 1025. Relating to Jefferson County, Alabama; To provide for levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said County, such tax to be measured by the gross receipts or gross proceeds of such businesses; to provide for levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the license tax; specifying property the use, storage or other consumption of which is exempt from the excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of said taxes, and the enforcement of the provisions of this Act; making applicable to the taxes herein levied and adopting certain provisions of Act No. 100, H. B. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama, as amended,; providing for the filing of reports with and the payment of tax to the Director of the Department of

Revenue of Jefferson County, Alabama, and providing for the enforcement of this Act by said Director of Revenue of Jefferson County, Alabama; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said sales price or admission fee; providing for the use of the revenues from said taxes; providing for referenda or elections of the qualified electors for making the taxes applicable to said County; and providing for the termination of the taxes imposed subject to referenda or elections of the qualified electors of said County.

By Mr. Sessions, et al:

H. 993. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, Page 663, et seq.), as reenacteed by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943 (General Acts of Alabama of 1943, Page 241 et seq.), as heretofore amended.

By Mr. Oden (with notice and proof):

H. 1003. To levy additional county privilege license and excise taxes for public school purposes in Franklin County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 216, H. 397, approved August 8, 1955 (Acts 1955, vol. I, pp. 523-525).

By Mr. Turner (with notice and proof):

H. 1075. To amend Sections 1, 2, 4, and 6 of Act No. 68 adopted at the 1957 Regular Session of the Legislature of Alabama so that the scope of the license taxes levied in Limestone County by said Act No. 68 and the exemptions and other provisions applicable to said license taxes shall parallel, although at the rates herein specified, the scope of the state sales and use taxes levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and by Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said state sales and use taxes; so as to make subject to said license taxes, at the rates herein specified, the sale, use, storage and consumption of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding and manufacturing tangible personal property; and so as to increase the rate of said license taxes with respect to sale, use, storage or consumption of automotive vehicles, truck trailers and semi-trailers.

By Mr. Brannan (with notice and proof):

H. 1112. Relating to Baldwin County: Authorizing the county Commissioners of Baldwin County, Alabama, to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid. To prescribe their method of appointment and fix their duties.

By Messrs. Hocklander, Murphy, Trimmier and Reynolds (Chambers) (with notice and proof):

H. 1118. Relating to Mobile County: To provide further for the distribution of fines and forfeitures in certain cases.

By Messrs. Hocklander, Murphy, Trimmier and Reynolds (Chambers) (with notice and proof):

H. 1119. To alter, rearrange and add to the limits of the City of

Chickasaw, Alabama and to describe the area added to the said limits of the said city.

By Messrs. Morrow and Edwards et al (with notice and proof):

H. 1072. To alter and extend the boundaries of the City of Birmingham so as to include within the city limits of the City of Birmingham part of the territory located within Section 34, Township 16, Range 2 West; Section 35, Township 16 Range 2 West; Section 26, Township 16, Range 2 West; Section 23, Township 16, Range 2 West; Section 24, Township 16, Range 2 West; Section 13, Township 16, Range 2 West; Section 7, Township 16, Range 1 West; Section 6, Township 16, Range 1 West; Section 1, Township 16, Range 2 West; Section 12, Township 16, Range 2 West; Section 11, Township 16, Range 2 West; Section 14, Township 16, Range 2 West; Section 15, Township 16, Range 2 West; Section 22, Township 16, Range 2 West and Section 27, Township 16, Range 2, in Jefferson County, Alabama.

By Mr. Faulk (with notice and proof):

H. 1089. To amend Section 6 of Act No. 393, H. 681, approved July 14, 1931, an act that abolished the county board of education of Geneva County and created in lieu thereof a county board of school commissioners (Local Acts 1931, pages 175, 176), in relation to the compensation of school commissioners.

By Mr. Morrow et al:

H. 1092. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 300,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the Circuit Court, of that Judicial Circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the Circuit Court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit and shall not be charged against the city, the trustees of the pension system or against the pension fund, and to provide the funds out of which any such solicitor's fee allowed shall be payable; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

By Mr. Dodd (with notice and proof):

H. 1130. To amend Act No. 25 adopted at the 1959 First Special Session of the Legislature of Alabama entitled "An Act relating to

Lawrence County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 25 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified, the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 25 and the exemptions and other provisions applicable to said excise tax shall parallel, although at the rates herein specified, the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said State Use Tax; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax with respect to the sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

By Mr. Roberts (with notice and proof):

H. 1076. To amend Section Two of the Act approved March 23, 1955 (Act No. 8, H. 7, Acts of Alabama 1955, Page 114) relating to the office of Chief Clerk to the Register of the Circuit Court in Equity of Madison County, Alabama.

By Messrs. Long (Perry) and Barnett (with notice and proof):

H. 1077. To provide for the establishment and operation of a public clinic in the municipality of Uniontown, Perry County.

By Mr. Smith (St. Clair) (with notice and proof):

H. 1081. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the Cor-

porate Limits of said Town all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

Mr. Berryman, Vice-Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Merrill, Hawkins, Lee (Barbour) and Oakley:

H. 291. To provide for the construction, maintenance and repair of streets, roads, drives, and parking areas on the campus of any state institution of higher learning, the Alabama State Hospitals and the Partlow State School.

Mr. Graham, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn et al:

H. 430. To repeal subsection H. of Section 214, Title 26, Code of Alabama 1940, which relates to a disqualification for benefits under the unemployment compensation act (5 Code of Alabama 1955 Cumulative Pocket Part 265).

Mr. Hines, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Pierce et al:

H. 364. To limit the casting and the counting of "write-in" votes in general elections to votes for persons who have published announcements of candidacy; to provide for the filing of proof of the publication of such announcements with the judges of probate; to require the judges of probate to furnish election officials with lists of persons who have filed proof of such announcements; and to prescribe penalties for violations of this Act.

By Mr. Faulk:

H. 446. Relating to primary elections; amending Section 357 of Title 17, Code of Alabama 1940; providing that watchers at polling places must be sworn at the same time as election officers, and that watchers must be qualified to vote in the county.

By Messrs. Goodwyn, Pierce, Adams (Tallapoosa):

H. 724. To amend Sections 92 and 117 of Title 17 of the Code of Alabama of 1940 so as to authorize any county or city or other political subdivision of the state to authorize and direct the use of voting machines for registering or recording and computing the vote at all elections held in such county or city or other political subdivision or portion of any thereof without the requirement of submitting the question of the authorization or installation of voting machines to a vote of the qualified electors of such county, city, or other political subdivision, and so as to make the pertinent and necessary laws pertaining to the use of voting machines in counties also apply to the use of voting machines in any municipality or other political subdivision in which voting machines may be adopted.

By Messrs. Goodwyn, Pierce and Adams (Tallapoosa):
H. 725. To authorize each county in this state, in which voting machines may now or hereafter be authorized or required to be used in the conduct of elections, to sell and issue from time to time interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring or providing voting machines for the conduct of elections in such county; authorizing each such county to pledge and use, for payment of the principal of and interest on such warrants and certificates, so much as may be necessary for such purpose of the ½ of 1% ad valorem tax which such county is now authorized to levy without reference to its purpose, and specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

By Messrs. Goodwyn, Pierce and Adams (Tallapoosa):
H. 730. To amend further Section 12 of Title 17, Code of Alabama 1940, which relates to qualifications to vote.

By Messrs. Goodwyn, Merrill and Ferguson:
H. 733. To amend further Section 361 of Title 17, Code of Alabama 1940, in relation to single shot voting for the nomination or election of electors for president and vice president of the United States.

Mr. Leonard, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Roberts and Reynolds (Madison):
H. 717. To amend Act No. 653, H. 489, entitled "An Act To regulate the teaching and practice of cosmetology; requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor," approved September 20, 1957 (Acts of Alabama 1957, page 981).

By Mr. Salter:
H. 981. To amend Section 87 of Title 22, Code of Alabama 1940, in relation to the enactment of regulations governing the removal or transportation of the bodies of deceased persons by cities and towns.

Mr. Turner, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Branyon, Self and Bishop:
H. 504. To authorize commissioned officers and warrant officers of the Alabama army and air national guard to organize into an association; and to prescribe the power and authority of the association.

Mr. Haltom, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cornett et al (with substitute):
H. 463. To amend further Section 2 of an act approved July 7, 1943 (Act No. 587, S. 117, General Acts 1943, p. 590) making it unlawful to use or have in possession for use seines, trawls, or other fishing de-

vices of a size of mesh contrary to the rules and regulations of the department of conservation, for the purpose of catching salt water fish or seafoods or minnows or other baits, etc.

Mr. Haltom, Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cornett et al (with amendment):
H. 468. To amend further an act approved August 15, 1947 (Act No. 322, H. 97, General Acts 1947, p. 211) relating to permits and licenses for taking or catching live shrimp for use or sale as bait.

Mr. Givhan, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cornett et al:
H. 465. To amend Section 10 of an act approved August 17, 1951 (Act No. 476, S. 418, Acts 1951, Vol I, p. 840) creating within the department of conservation a division to be known as the division of seafoods, in relation to the authority of the director of conservation to make expenditures out of the seafoods fund.

Mr. Givhan, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and its was read a second time and placed on the calendar, to-wit:

By Mr. Cornett et al (with substitute):
H. 466. Relating to seafoods; providing for owners of private oyster reefs, beds, or bottoms, or the lessees thereof, to use mechanical devices, including mechanical rake dredges, at any time, to cultivate and harvest or to remove their live oysters, under certain prescribed conditions.

Mr. Givhan, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cornett et al:
H. 467. To amend further Section 153 of Title 8, Code of Alabama 1940, making it unlawful to sell oysters under a certain size, etc.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to wit:

By Mr. Adams (Houston):
H. 873. To amend Section 15 of Act No. 75 adopted at the First Special Session of the Legislature of Alabama of 1959 pertaining to records of the proceedings of and resolutions and ordinances adopted by Boards of Commissioners in certain cities having the commission form of government.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Grouby, Adams (Tallapoosa) and Jenkins (with amendment):

H. 757. To provide for and regulate general and special elections in the cities and towns of this state, except those cities and towns which have a commission form of government; designating the date for regular elections, and authorizing the municipal governing body to call special elections; prescribing the manner of giving notice of municipal elections, and of designating voting places, and of appointing and compensating election officers; providing for the preparation of ballots and voting machines for such elections; prescribing the manner of casting ballots, counting the votes and making returns of elections; providing for and requiring a second or run-off election whenever no candidate receives a majority of the votes cast; designating certain acts and omissions relative to municipal elections as offenses and prescribing penalties therefor; prescribing the grounds on which such elections may be contested and the procedure for contests thereof; and providing that the costs of municipal elections shall be paid by the city or town holding such elections.

Mr. Wilson, Chairman of the Standing Committee on Counties and County Boundaries, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Powell et al:

H. 568. To provide that all offices of the officials in the court houses of the several counties in the State of Alabama other than the offices of the sheriff and other county law enforcement agencies may close one weekday in each week during the year; to provide for the fixing of the day of such closing to be determined by the governing body of the county by resolution entered on its minutes; to repeal Act No. 74, H. 12, approved June 9, 1945 (General Acts of Alabama 1945, p. 72).

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 28 — Authorizing the continuance of the Legislative Committee on Mental Health, etc.

Mr. Green offered the following substitute for the Resolution, to-wit:

S. J. R. 28. WHEREAS, the mental health program has received such publicity and attention by the people of Alabama as well as by the members of this Legislature; and

WHEREAS bills have been introduced in this Legislature and are now pending before the Legislature, and it appears that some relief will be granted to this most worthwhile program, but that the long range objectives and needs will not be fully met at this time; and

WHEREAS a legislative committee on mental health was created by the provisions of S. J. R. 6 adopted at the Second Special Session 1959 and there is a need to continue the work of this committee, as well as to enlarge the scope of its inquiries; now therefore, be it

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint legislative committee created by S. J. R. 6, Second Special Session 1959, is hereby continued and authorized to continue working on the many problems which have not yet been solved in the field of mental health, and to study the legal status of the mentally ill in this State, with particular reference to commitment and discharge procedures for the mentally ill, and other related aspects of this problem. The committee is further directed to study the Alabama statutes relating to the problem of mental illness and bring in such recommendations for changes as in its judgment may be necessary in the light of modern psychiatric knowledge and the general practices prevailing throughout the Nation. The committee is also directed to conduct such hearings and make such inquiries as it may consider necessary to ascertain the relevant facts concerning the resources and needs for the operation of a program of providing medical and hospital care for indigent patients at the University Hospital in Jefferson County.

2. The committee shall advise with all agencies concerned with the administration of the State's health program, and make a complete investigation of the hospitals, bureaus, and agencies receiving and expending money in connection with the mental health program.

3. Each member of the committee shall receive his regular legislative compensation and expenses for each day of actual attendance at a meeting of the committee, but no member shall receive compensation or expenses for more than sixty days.

4. The committee is authorized to employ such clerical assistants as is necessary and such personnel shall be paid in accordance with Title 32, Section 13, Code of Alabama 1940. The per diem and expenses of the members of the committee and all other expenses incurred by the committee shall be paid out of any funds appropriated for the payment of expenses of the Legislature.

5. The committee shall report its findings, conclusions, and recommendations to the two Houses on or before the 5th Legislative day of the 1961 regular session.

Which was adopted.

And said Resolution, S. J. R. 28, as thus amended by the substitute, was then adopted by the Senate.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Message and ordered same returned to the Senate with a favorable report, to-wit:

Relative to the appointment of Dr. Harold West as a member of the Civil Service Board of the City of Anniston.

And on motion of Mr. Shelton, Dr. Harold West was confirmed by the Senate as a member of the Civil Service Board of the City of Anniston.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Message and ordered same returned to the Senate with a favorable report, to-wit:

Relative to the appointment of members of the Board of Plumbers Examination and Registration.

And on motion of Mr. Dumas, Honorable A. W. Seier, Jr., Honorable Marion T. Harris, Honorable Ellis L. McDonald, Honorable Paul Pate and Honorable Robert O. Shepherd, Sr., were confirmed as members of the Board of Plumbers Examination and Registration.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Message and ordered same returned to the Senate with a favorable report, to-wit:

Relative to the appointment of members to the State Board of Education.

And on motion of Mr. Kendall, Honorable J. T. Albritton, Honorable W. C. Davis and Honorable Cecil Word were confirmed as members of the State Board of Education.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Message and ordered same returned to the Senate with a favorable report, to-wit:

Relative to the appointment of members to the Board of Trustees of Alabama College.

And on motion of Mr. Hines, Mrs. James Fitts Hill, Mrs. Marvin Raines, Honorable W. Van Gilbert and Honorable Joe L. Jennings were confirmed as members of the Board of Trustees of Alabama College.

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Governor's Message and ordered same returned to the Senate with a favorable report, to-wit:

Relative to the appointment of members of the State Docks Advisory Committee.

And on motion of Mr. Caffey, Honorable Glen Brock, Honorable E. L. Toenes, Honorable Richard Murray, Honorable Ennis Gibbons, Honorable Cecil H. Young, Jr., Honorable Tom Russell, Honorable Conrad Fowler, Honorable Clarence Gardner, Honorable Jess Keller and Honorable William D. Sellers were confirmed as members of the State Docks Advisory Committee.

RESOLUTIONS

Mr. Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 41. BE IT RESOLVED By the Senate, the House of Representatives concurring, that the Secretary of the Senate and the Clerk

of the House each be allowed the Enrolling and Engrossing Clerks and twelve assistants for six weeks in addition to that provided in the Code to assist in checking the Journals and other records of the Senate and House for delivery to the Secretary of State.

And on motion of Mr. Robison, the Rules were suspended and tne Resolution was adopted by the Senate.

Mr. Kendall offered the following Senate Resolution, to-wit:

S. R. 42. RESOLVED BY THE SENATE OF ALABAMA, That the senators who are members of the Coordinating Committee of the Legislature appointed in pursuance of Act No. 16, H. J. R. 11, approved February 19, 1959, shall constitute a Senate Interim Committee on Legislation Relating to the Operation of the Public School System and the Exercise of the Police Power, to conduct such hearings and make such inquiries as they consider necessary to provide information to the Legislature on legislation coming within their jurisdiction. The committee shall report their findings, conclusions, and recommendations to the Senate at the next regular session.

2. The committee shall elect a chairman and vice-chairman from among their own number. They shall meet at the call of the chairman or a majority of the committee, and shall be entitled to their legislative pay and expenses for each day they attend committee meetings or are otherwise engaged on committee business.

3. The committee may retain a committee counsel and employ such personnel as may be needed to carry out their duties. Persons retained or employed by the committee shall be paid reasonable, expenses and compensation as agreed upon by the committee.

4. The pay of committee members and their expenses, as well as the compensation of committee employees and committee counsel and all other expenses incurred by the committee in performing their function, shall be paid from funds appropriated for payment of the expenses of the Legislature, on requisitions signed by the committee chairman. Provided, that the aggregate of all expenditures made by the committee shall not be in excess of fifteen thousand dollars.

Which was read and referred to the Standing Committee on Rules.

Mr. Crawford offered the following Senate Joint Resolution, to-wit:

S. J. R. 43. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a joint legislative interim committee on agriculture. The committee shall consist of three members of the Senate appointed by the President of the Senate and four members of the House appointed by the Speaker of the House. The committee shall conduct such hearings and make such inquiries as they may consider necessary to provide information to the Legislature concerning the ways and means of providing that the State Department of Agriculture and Industries shall be made once again a self-supporting state department, financed entirely by licenses, and fees and charges for services rendered, without support from state general funds. The committee shall report their findings, conclusions, and recommendations to the chairman of the standing committee on finance and taxation and the chairman of the standing committee on ways and means on or before January 15, 1961.

2. The committee shall select a chairman and vice-chairman from among their own number. And the committee shall meet at the call of the chairman or a majority of the committee. Members shall be

entitled to their legislative pay and expenses for each day they attend committee meetings or are otherwise engaged on committee business.

3. The committee shall have power to compel the attendance of witnesses in the production of books and papers by means of legal process, and to enlist the aid of courts of competent jurisdiction in the enforcement of such power. The committee may also utilize the services, facilities, personnel, and resources of the Department of Agriculture and Industries and other state departments and agencies, including the Legislative Reference Service, in the performance of its duties.

4. The compensation and expenses of committee members, as well as the compensation of committee employees and the other expenses incurred by the committee in performing their function, shall be paid from funds appropriated for payment of expenses of the Legislature, on requisitions signed by the committee chairman. Provided, that the members of the committee shall not be entitled to pay for more than fifty days.

Which was read and referred to the Standing Committee on Rules.

Messrs. Dumas and deGraffenried offered the following Senate Joint Resolution, to-wit:

S. J. R. 44. BE IT RESOLVED BY THE SENATE, the House concurring, that Senate Bill No. 282 which has passed both Houses, be known as the "Hanby, Dumas, deGraffenried bill."

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 891. To authorize any municipality in Talladega County, Alabama, and Talladega County, to make appropriations of moneys and transfers of property to or for the benefit of any public hospital corporation now or hereafter organized in Talladega County, Alabama, under Act No. 211, adopted at the 1945 Regular Session of the Legislature of Alabama, Act No. 46 adopted at the 1949 Regular Session of said Legislature, or Act No. 63 adopted at the 1957 Regular Session of said Legislature; to authorize agreements between Talladega County or any municipality located in Talladega County and any such public hospital corporation located in Talladega County whereunder such corporation will agree to make available hospital space to inhabitants of such agreeing municipality or Talladega County, and whereunder such agreeing municipality or Talladega County will agree to make monthly or annual payments to such corporation; and to provide that any appropriations made hereunder and any payments provided for in any such agreements shall be deemed revenues of the public hospital corporation receiving them, within the meaning of said Act No. 211 and said Act No. 46 and any other applicable statute, and may be pledged as security for obligations of the public hospital corporation pursuant to the provisions of said statutes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Archer	Farmer	Jones	Samford	
Berryman	Gaither	Leonard	Turner	
Caffey	Godfrey	Porter	Webb	
Cooper	Graham	Roberts	Word	
Crawford	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 936. To authorize the court of county commissioners, board of revenue or other like governing body of Barbour County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Barbour County public highway and traffic fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Rutledge	
Barnett	Eddins	Jones	Shelton	
Berryman	Gaither	Kendall	Webb	
Caffey	Golson	Moses	Wilson	
Cooper	Graham	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 365. Relating to crimes and offenses: To make it a misdemeanor to obtain or attempt to obtain telephone or telegraph service by use of false, fictitious, counterfeit, revoked or nonexistent credit card, credit number or other credit device or telephone number, or credit card, credit number or credit device or telephone number of another without authority, or through any fraudulent scheme, device, means or method; to provide for punishment of such acts; to repeal all conflicting laws

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Andrews	Dumas	Green	Rutledge	
Archer	Eddins	Haltom	Samford	
Barnett	Gaither	Hines	Turner	
Berryman	Givhan	Jones	Wilson	
Cooper	Godfrey	Porter	Wyatt	
Crawford	Golson	Roberts		—26

Nays: —0

The Bill:

H. 735. Relating to counties having a population of not less than 50,000 nor more than 60,000 inhabitants, according to the last or any subsequent federal decennial census who elect to come under the provisions of this Act as hereinafter provided; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary of the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 735

Section 1 of said Act is hereby amended to read as follows: This Act shall apply only in counties wherein the Judge of Probate is on a salary and in which the population is not less than 50,000 nor more than 75,000 according to the last or any subsequent federal decennial census when said county elects to come under the provisions of this Act as hereinafter provided.

H. B. 735 is hereby amended to include Section 12 (a) which shall read as hereinafter provided and shall be inserted between Section 12 and 13 of said act: The purchaser of an automobile shall within 10 days after transfer of title to him, have the transfer of title made on the records contained in the office of the Judge of Probate; should the purchaser fail to so do he shall at the time his automobile is assessed for the preceding year pay to the Director of the Motor Vehicle License Department the sum of $2.50 as a penalty; this penalty shall be remitted by the director to the county general fund.

Section 3 of H. B. 735 is hereby amended to read as follows: In those counties in which this Act applies and which elects to come under the provisions of the same as hereinafter provided, the Judge of Probate, the Tax Assessor and the Chairman of the County governing body, by majority vote, shall appoint a director of the department

who shall hold office at the pleasure of the appointing body and any vacancy in the office of the Director of said Department, because of death, resignation or otherwise shall be filled by majority vote of the Judge of Probate, Tax Assessor and Chairman of the County Governing Body.

Section 15 of H. B. 735 is hereby amended to read as follows: The director of the department shall collect for the assessment and collection of state and county ad valorem tax on motor vehicles the same fees, charges, penalties and commissions fixed by law to be paid to the Tax Assessors and Tax Collectors for the same services. The fees, charges, penaltites and commissions collected by the director of the department shall be paid into the general fund of the county.

Section 4 of H. B. 735 is hereby amended by deleting the phrase "in an amount not exceeding $4800 per annum."

Section 16 of H. B. 735 shall be amended by adding the following sentence to said Section; Provided, however, the action of the governing body to withdraw from the provisions of this act shall be void unless the Tax Assessor, Tax Collector and the Judge of Probate have first received notice in writing from the county governing body more than six (6) months prior to the anticipated effective date of withdrawal.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Shelton	
Archer	Gaither	Hines	Turner	
Berryman	Givhan	Kendall	Webb	
Cooper	Golson	Leonard	Word	
Crawford	Graham	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

Mr. Berryman then offered the following amendment to the Bill, as amended, to-wit:

AMENDMENT TO H. B. 735

In Section 16, strike out the first sentence thereof and insert in lieu thereof the following sentence:

This Act shall become effective in a county to which it applies only upon a writing subscribed to by the judge of probate, the tax assessor, and the tax collector requesting to come under the provisions of this Act and upon the adoption of a resolution by a majority vote of the board of revenue, court of county commissioners, or other like governing body of the county, whereby the county elects to come under the provisions of said Act.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Haltom	Rutledge
Andrews	Gaither	Hines	Samford
Archer	Givhan	Leonard	Shelton
Berryman	Golson	Moses	Webb
Cooper	Graham	Porter	Wilson
Crawford	Green	Robison	Wyatt
Dumas			

—24

Nays: —0

And said Bill, as thus amended, was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Haltom	Rutledge
Andrews	Gaither	Hines	Samford
Archer	Givhan	Leonard	Shelton
Berryman	Golson	Moses	Webb
Cooper	Graham	Porter	Wilson
Crawford	Green	Robison	Wyatt
Dumas			

—24

Nays: —0

The Bill:

H. 777. To provide further for enforcement of highway traffic control laws and rules of the road by deputy sheriffs in counties having a population of not less than 18,700 nor more than 19,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Berryman	Givhan	Leonard	Turner
Caffey	Godfrey	Porter	Wilson
Cooper	Graham	Roberts	Word
Crawford	Green	Robison	Wyatt
deGraffenried			

—24

Nays: — 0

The Bill:

H. 226. To amend further Section 187 of Title 13, Code of Alabama 1940, in relation to the compensation of bailiffs of the circuit court in circuits composed of one county and having three or more circuit judges, but less than eight.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Eddins	Kendall	Shelton
Archer	Givhan	Leonard	Turner
Barnett	Golson	Moses	Wilson
Caffey	Graham	Roberts	Word
Cooper	Green	Robison	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 836. Relating to counties having a population of less than 11,800, according to the last or any subsequent federal decennial census; to authorize the court of county commissioners, board of revenue or other like governing body to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the public highway and traffic control fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Rutledge
Andrews	Eddins	Kendall	Shelton
Barnett	Gaither	Leonard	Webb
Berryman	Godfrey	Moses	Wilson
Caffey	Golson	Roberts	Word
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 841. To alter, rearrange and extend the boundaries of the Town of Kinston in Coffee County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Green	Robison
Andrews	Dumas	Hines	Rutledge
Archer	Eddins	Kendall	Samford
Barnett	Givhan	Leonard	Turner
Berryman	Golson	Moses	Word
Caffey	Graham	Roberts	Wyatt
Cooper			

—24

Nays: —0

The Bill:

H. 870. To amend an act approved September 1, 1939, authorizing the governing body of Cherokee County to levy and collect a gasoline tax (Act No. 314, H. 700, Local Acts 1939, p. 200) so as to exclude diesel fuel as a taxable fuel under the act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Roberts	
Archer	Farmer	Hines	Rutledge	
Barnett	Gaither	Jones	Shelton	
Berryman	Godfrey	Leonard	Turner	
Caffey	Graham	Moses	Wilson	
Cooper	Green	Porter	Word	
deGraffenried				—24

Nays: —0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Samford, further consideration of the Bill, H. B. 878, was indefinitely postponed by the Senate.

On motion of Mr. Wyatt, further consideration of the Bill, H. B. 1040, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 904. Relating to Crenshaw County; providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge	
Andrews	Eddins	Jones	Samford	
Barnett	Gaither	Kendall	Turner	
Berryman	Givhan	Moses	Wilson	
Caffey	Golson	Roberts	Word	
Crawford	Graham	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 905. To provide for the payment of certain expenses of the county or deputy solicitors of all counties having a population of not less than 18,700 nor more than 19,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Rutledge	
Andrews	Eddins	Kendall	Samford	
Barnett	Gaither	Leonard	Turner	
Caffey	Godfrey	Porter	Wilson	
Cooper	Golson	Roberts	Word	
Crawford	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 909. Proposing an amendment to the Constitution of Alabama relating to the levying of special property taxes in Coosa County for school purposes.

was read a third time at length, as required by the Constitution, and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Jones	Samford	
Barnett	Gaither	Kendall	Turner	
Berryman	Godfrey	Moses	Webb	
Caffey	Graham	Porter	Word	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 940. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Clanton, in Chilton County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Andrews	Dumas	Haltom	Rutledge	
Barnett	Eddins	Hines	Samford	
Berryman	Gaither	Kendall	Shelton	
Caffey	Givhan	Moses	Turner	
Cooper	Godfrey	Porter	Word	
Crawford				—24

Nays: —0

The Bill:

H. 972. To further amend Section Two of Act No. 538, Local Acts of the Legislature, 1939, approved September 16, 1939, which said Section Two was amended by Act No. 651 of the Legislature of 1947, approved October 9, 1947, which said Act No. 538 established in Geneva County, Alabama, a Court of Record to be known as the "Inferior Court of Geneva County"; and to provide that said Court have limited

equity jurisdiction and to provide for a Register of said Court and a stenographer for the Judge of said Court and fix her salary.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Eddins	Hines	Shelton
Barnett	Gaither	Jones	Webb
Caffey	Godfrey	Moses	Wilson
Cooper	Golson	Roberts	Word
Crawford	Green	Robison	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 987. To alter, rearrange and extend the boundaries of the City of Montgomery, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Robison
Andrews	Farmer	Haltom	Samford
Barnett	Gaither	Jones	Turner
Berryman	Godfrey	Leonard	Webb
Caffey	Golson	Moses	Wilson
Cooper	Graham	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 988. To abolish the fine and forfeiture fund of Shelby County; to provide for the payment of all fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Archer	Eddins	Jones	Samford
Barnett	Gaither	Leonard	Turner
Caffey	Givhan	Moses	Webb
Cooper	Godfrey	Roberts	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 842. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Haltom	Rutledge	
Andrews	Gaither	Jones	Samford	
Archer	Givhan	Leonard	Turner	
Berryman	Godfrey	Moses	Webb	
Cooper	Graham	Roberts	Word	
deGraffenried	Green	Robison	Wyatt	
Dumas				—24

Nays: —0

The Bill:

H. 932. To establish the Winston County Court of Law and Equity in lieu of the court established by Act No. 242, H. 101, approved August 16, 1955 (Acts of Alabama, Regular Session 1955, vol. I, pp. 553-559); to define the jurisdiction and powers of said court, provide for its officers, their appointment, election, term of office, powers, duties, and compensation, and to provide that the court shall be open at all times for the transaction of business, and to authorize the judge to fix the time of holding sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice, and procedure, and to give such rules the force and effect of law; to abolish the court established by said Act No. 242 of August 16, 1955, and provide for the transfer of all cases pending therein to the court hereby established.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts	
Andrews	Eddins	Haltom	Rutledge	
Archer	Gaither	Hines	Shelton	
Berryman	Givhan	Jones	Turner	
Caffey	Godfrey	Leonard	Wilson	
Cooper	Graham	Porter	Word	
Crawford				—24

Nays: —0

The Bill:

H. 933. To amend Sections 1 and 2 of Act No. 291, H. 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and use taxes levied in the city of Haleyville, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of that city (Acts of Alabama, Regular Session 1957, vol. I, p. 369).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Hines	Shelton
Barnett	Givhan	Leonard	Turner
Berryman	Godfrey	Moses	Wilson
Caffey	Golson	Porter	Word
Cooper	Green	Roberts	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 935. To provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts
Andrews	Dumas	Haltom	Rutledge
Barnett	Eddins	Jones	Turner
Berryman	Gaither	Leonard	Webb
Caffey	Givhan	Moses	Word
Cooper	Graham	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 963. To amend Section 4 of the act approved August 16, 1955 establishing the law and equity court of Winston County (Act No. 242, H. 101, Acts of Alabama 1955, Vol. I, pp. 553, 555) so as to provide for the collection of trial fees in such court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Roberts
Andrews	Farmer	Jones	Rutledge
Barnett	Givhan	Kendall	Shelton
Berryman	Golson	Leonard	Turner
Caffey	Graham	Moses	Wilson
Cooper	Green	Porter	Word
Crawford			

—24

Nays: —0

The Bill:

H. 964. To amend Section 2 of the act approved July 23, 1931 providing for a board of education for Winston County (Act No. 539, S. 253, Local Acts of Alabama 1931, pp. 257, 258) so as to provide further for the compensation of the members of said board.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Haltom	Rutledge	
Archer	Eddins	Jones	Shelton	
Berryman	Gaither	Kendall	Turner	
Caffey	Givhan	Moses	Webb	
Cooper	Godfrey	Porter	Word	
Crawford				—24

Nays: —0

The Bill:

H. 881. To require the Director of the State Department of Public Safety to notify the Commissioner of Licenses of Mobile County upon the suspension or revocation of the permanent driver license of any resident of Mobile County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Farmer	Hines	Rutledge	
Archer	Givhan	Jones	Shelton	
Barnett	Godfrey	Moses	Turner	
Caffey	Graham	Porter	Wilson	
Cooper	Green	Roberts	Word	
Crawford				—24

Nays: —0

The Bill:

H. 886. To abolish the jury board of Covington County and to create in lieu thereof a commission composed of nine members appointed by the Governor; to provide a clerk for the jury commission and to prescribe his duties and compensation; and to prescribe the functions, authority, duties, and compensation of the jury commissioners appointed hereunder.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Archer	Eddins	Haltom	Rutledge	
Barnett	Gaither	Hines	Shelton	
Berryman	Givhan	Kendall	Turner	
Caffey	Godfrey	Moses	Wilson	
Cooper	Graham	Porter	Word	
Crawford				—24

Nays: —0

The Bill:

H. 889. To amend Section 2 of an act approved August 31, 1953, providing a special fund for the payment of certain expenses incurred by the solicitor or judge of the Twenty-second Judicial Circuit (Act No. 460, H. 856, Acts of Alabama 1953, Vol. 1, p. 564).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts	
Andrews	Eddins	Haltom	Shelton	
Archer	Gaither	Hines	Webb	
Berryman	Givhan	Kendall	Wilson	
Caffey	Godfrey	Moses	Word	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 917. To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts, 1949, Page 536, entitled: "To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Rutledge	
Archer	Gaither	Jones	Samford	
Barnett	Godfrey	Leonard	Turner	
Caffey	Golson	Moses	Word	
Cooper	Graham	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 919. Directing the Secretary of State to transmit to the Commissioner of Licenses of Mobile County copies of all acts of the Alabama Legislature when printed in slip or pamphlet form, the bound volumes of such acts when printed for distribution in bound form, and the cumulative pocket supplements to the Code of Alabama (1940).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Eddins	Hines	Rutledge	
Archer	Gaither	Kendall	Shelton	
Barnett	Givhan	Leonard	Turner	
Caffey	Golson	Porter	Word	
Cooper	Graham	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 923. To provide for the creation of the Tri-County Regional Planning Commission with jurisdiction in Morgan, Lawrence and Limestone Counties, to provide for its composition, organization, rules, procedure, appropriations, membership, terms of office, powers and duties, and for the adoption of a regional plan by such commission.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Jones	Shelton	
Archer	Givhan	Kendall	Turner	
Berryman	Godfrey	Leonard	Webb	
Cooper	Golson	Porter	Wilson	
Crawford	Graham	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 924. To provide for payment by the county of expenses incurred in the operations of the office of county superintendent of education, county commissioner of education, commissioner of public instruction, commissioner of public schools, or other like officer of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Samford	
Andrews	Farmer	Hines	Shelton	
Archer	Givhan	Leonard	Turner	
Berryman	Godfrey	Moses	Webb	
Cooper	Graham	Porter	Wilson	
deGraffenried	Green	Roberts	Wyatt	
Dumas				—24

Nays: —0

The Bill:

H. 937. To amend Act No. 17 adopted at the 1957 Regular Session of the Legislature of Alabama entitled "An Act relating to Bibb County, Alabama; levying a license tax on persons and others engaging in sell-

ing tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 17 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified, the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 17 and the exemptions and other provisions applicable to said excise tax shall parallel, although at the rates herein specified, the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax with respect to the sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Robison
Andrews	Farmer	Kendall	Rutledge
Archer	Givhan	Leonard	Samford
Barnett	Golson	Moses	Webb
Berryman	Graham	Porter	Wilson
Caffey	Green	Roberts	Word
Crawford			

—24

Nays: —0

The Bill:

H. 938. To alter, rearrange and extend the boundaries and corporate limits of the Town of West Blocton, Bibb County, Alabama, so as to annex certain territory to the Town.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Gaither	Hines	Samford
Archer	Givhan	Kendall	Turner
Barnett	Godfrey	Leonard	Webb
Berryman	Graham	Roberts	Word
Caffey	Green	Robison	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 956. To extend the boundary lines of the Town of Trinity, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Gaither	Jones	Rutledge
Archer	Givhan	Kendall	Samford
Berryman	Golson	Moses	Turner
Cooper	Graham	Porter	Word
Crawford	Green	Roberts	Wyatt
deGraffenried			—24

Nays: —0

The Bill:

H. 871. To amend Act No. 194 which was duly passed at the Regular Session, 1957, Legislature of Alabama, Vol. I, Acts of Alabama, Regular Session 1957, pp. 245-254, and which said Act did create and establish in Dallas County a Court known as the Dallas County Court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Hines	Rutledge
Barnett	Eddins	Kendall	Shelton
Berryman	Farmer	Leonard	Turner
Caffey	Givhan	Porter	Wilson
Cooper	Golson	Roberts	Word
Crawford			—24

Nays: —0

The Bill:

H. 965. Relating to Butler County; authorizing the governing body of the county to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in The Butler County Jail by the Sheriff.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Rutledge
Barnett	Eddins	Hines	Turner
Berryman	Givhan	Kendall	Webb
Caffey	Godfrey	Moses	Word
Cooper	Golson	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 966. For the relief of The United Telephone & Telegraph Co., and to authorize and direct The Court of County Commissioners of Butler County, Alabama, to pay to the said United Telephone & Telegraph Co., the sum of Four Hundred Forty Dollars and Thirty-Eight Cents ($440.38) for damages to telephone lines owned by the said United Telephone & Telegraph Co.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Turner
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Moses	Wilson
Cooper	Graham	Porter	Word
Crawford	Green	Roberts	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 971. To prohibit the taking of fish from the public waters of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, with hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Berryman	deGraffenried	Gaither
Andrews	Cooper	Dumas	Godfrey
Archer	Crawford	Farmer	Golson

Graham	Moses	Rutledge	Wilson	
Hines	Porter	Shelton	Word	
Kendall	Robison	Webb	Wyatt	
Leonard				—24

Nays: —0

The Bill:

H. 974. To amend Sections 1, 2, 3, 4, 7, 8, 10 and 12 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama, approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433) relative to privilege or license taxes and excise taxes in Lauderdale County and in the City of Florence, Lauderdale County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge	
Barnett	Farmer	Jones	Shelton	
Berryman	Givhan	Kendall	Webb	
Caffey	Godfrey	Leonard	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Graham	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 985. To alter, rearrange and extend the boundaries and corporate limits of the town of Butler, Choctaw County, so as to incorporate within the town certain additional territory.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Archer	Farmer	Haltom	Rutledge	
Berryman	Gaither	Jones	Shelton	
Caffey	Givhan	Kendall	Turner	
Cooper	Godfrey	Leonard	Webb	
Crawford	Graham	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 986. To provide additional compensation or salary for the Official Court Reporter of the 22nd Judicial Circuit and providing for the payment thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Farmer	Haltom	Rutledge	
Barnett	Gaither	Hines	Turner	
Berryman	Givhan	Kendall	Webb	
Caffey	Golson	Moses	Wilson	
Cooper	Graham	Roberts	Word	
Crawford				—24

Nays: —0

The Bill:

H. 946. For the relief of C. D. Chiles; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have four months from the effective date of this Act in which to take action on C. D. Chiles' pending application for extraordinary disability allowance.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Archer	Farmer	Jones	Shelton	
Barnett	Gaither	Kendall	Turner	
Berryman	Golson	Moses	Webb	
Caffey	Graham	Porter	Word	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 947. To alter, rearrange, and extend the corporate limits of the City of Birmingham, Jefferson County, so as to include within the corporate limits of said City of Birmingham certain additional territory.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge	
Andrews	Farmer	Jones	Shelton	
Barnett	Godfrey	Leonard	Turner	
Berryman	Golson	Porter	Webb	
Caffey	Graham	Roberts	Word	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 999. To amend further Act No. 259, H. 530, approved June 24, 1943, an act providing for appeals to the circuit court in certain counties

having a population of 400,000 or more, according to the last or any subsequent federal decennial census, from decisions of the board of equalization (General Acts, Regular Session 1943, p. 230), which is known as "The Expeditious and Economical Tax Appeals Act."

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 999

House Bill 999 is amended by striking the words and figures "and 14" and inserting before the figure "8" and after the figure "7", the word "and"

House Bill 999 is further amended by striking out the paragraph thereof, which begins "Section 14".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Robison	
Andrews	Farmer	Jones	Rutledge	
Barnett	Gaither	Leonard	Turner	
Berryman	Godfrey	Moses	Webb	
Caffey	Graham	Porter	Word	
Cooper	Green	Roberts	Wyatt	
Crawford				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Robison	
Andrews	Farmer	Jones	Rutledge	
Barnett	Gaither	Leonard	Turner	
Berryman	Godfrey	Moses	Webb	
Caffey	Graham	Porter	Word	
Cooper	Green	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 983. To amend Section 1 of Act Number 65 H. 138 approved April 5, 1956, (Acts of Alabama Special Session 1956, page 357, entitled, "To provide that the Recorder's Court of any city having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census trying any person for violation of an ordinance of such city making it unlawful to engage in or conduct a lottery, to possess lottery paraphernalia, to possess gaming paraphernalia, to engage in bookmaking, to accept bets on horse racing or other sporting events, to conduct a house of prostitution, to possess, sell, give away or display obscene pictures, prints, drawings or literature, or to molest children shall

upon the conviction of such person, have the power and authority to impose a fine not exceeding three hundred dollars upon such person and to sentence him to hard labor upon the streets or public works, or in the workhouse or house of corrections of such city for not exceeding six months; to provide that this Act shall be cumulative and the power and authority hereby granted to any such Recorder's Court shall be in addition to any power and authority which such court may have under any other law either general or local.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 983

Amend Section 1 of H. B. 983 by striking therefrom the following words "if said person has two prior convictions for the last named offense of driving a vehicle while under the influence of intoxicating-liquor or a drug".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Hines	Shelton	
Barnett	Gaither	Leonard	Turner	
Berryman	Golson	Moses	Webb	
Caffey	Graham	Roberts	Word	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Hines	Shelton	
Barnett	Gaither	Leonard	Turner	
Berryman	Golson	Moses	Webb	
Caffey	Graham	Roberts	Word	
Cooper	Green	Robison	Wyatt	
Crawford				24

Nays: —0

The Bill:

H. 995. To provide for designating the 109th Evacuation Hospital building in Jefferson County, "Fort Mortimer H. Jordan."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Farmer	Jones	Shelton
Archer	Gaither	Leonard	Turner
Barnett	Godfrey	Moses	Webb
Berryman	Golson	Roberts	Wilson
Caffey	Green	Robison	Wyatt
Cooper			

—24

Nays: —0

The Bill:

H. 989. To alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 989

Amend Section 2 of H. B. 989 by adding after the word "Birmingham" where it first appears in said Section 2 the following: "within thirty days of the effective date of this Act."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Rutledge
Andrews	Farmer	Kendall	Samford
Archer	Gaither	Moses	Turner
Barnett	Givhan	Porter	Webb
Caffey	Graham	Roberts	Wilson
Cooper	Green	Robison	Word
Crawford			

—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Rutledge
Andrews	Farmer	Kendall	Samford
Archer	Gaither	Moses	Turner
Barnett	Givhan	Porter	Webb
Caffey	Graham	Roberts	Wilson
Cooper	Green	Robison	Word
Crawford			

—24

Nays: —0

The Bill:

H. 992. To alter and extend the boundaries of the City of Birmingham to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 992

Amend Section 2 of H. B. 992 by adding after the word "Birmingham" where it first appears in said Section 2 the following: "within thirty days of the effective date of this Act."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Hines	Rutledge
Barnett	Gaither	Kendall	Turner
Berryman	Givhan	Leonard	Webb
Caffey	Golson	Moses	Word
Cooper	Graham	Roberts	Wyatt
Crawford			

—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Hines	Rutledge
Barnett	Gaither	Kendall	Turner
Berryman	Givhan	Leonard	Webb
Caffey	Golson	Moses	Word
Cooper	Graham	Roberts	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 996. To authorize the incorporation in any county in this state having a population of 500,000 or more, according to the last or any succeeding Federal Census, of a health care authority as a public corporation for hospital purposes, including, among others, the making of provisions for medical and hospital aid to the indigent sick of such county; to provide a method of effecting the incorporation of such authority and electing the members of its board of directors and its officers; to specify the powers of such board of directors and the powers of such authority; to provide for the payment to such authority by the county in which it is organized of all revenue received and held by such county from any tax levied by the state for the benefit of the county for health and medical care of indigent residents of the county, and to authorize such county to allocate and pay other funds to such

authority; to provide for the expenditure of the funds of such authority for any of its corporate purposes; to authorize the sale and issuance of securities by such authority for any of its purposes; to authorize such authority to provide the details of such securities and the pledge of revenues of the authority and the execution of mortgages or deeds of trust as security thereof; to provide that such securities shall constitute negotiable instruments; to provide that the properties and income of such authority, the securities issued by it and the interest payable thereon, and all mortgages and other instruments executed as security therefor shall be exempt from taxation; to authorize investment of fiduciary funds in securities by such authority; to require the making of annual reports and the submission of an annual budget to the governing body of such county; to provide the time and method of dissolution of such authority; to provide that the formation and dissolution of one or more such authorities shall not prevent the subsequent formation of another authority in the same county; and to authorize such county and any municipality therein to transfer to such authority projects and funds acquired or allocated for any of the purposes for which such authority shall have been organized.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 996

Amend H. B. 996 as follows:

On page 3, in Section 7, strike out "to provide for medical aid to and hospitalization for the indigent sick of the county who cannot pay for such care, including the authority to contract with public or private hospitals, physicians, and other health agencies in the county for the rendition of such services" and insert in lieu thereof "to provide for medical aid to and hospitalization for the indigent sick of the county who cannot pay for such care, including the authority to contract with public or private hospitals, physicians, pharmacists, and other health agencies in the county for the rendition of such services";

Also, in Section 7, add the following sentence at the end thereof:

"Nothing herein contained shall give any authority created under the terms of this Act any right or power to acquire or operate, or, in any manner, interfere with the operation of any home or institution for the aged indigent operated by any county subject to the provisions of this Act."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Golson	Moses	Wilson
Caffey	Graham	Porter	Word
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Golson	Moses	Wilson
Caffey	Graham	Porter	Word
Cooper	Green	Robison	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 877. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Hines	Shelton
Archer	Gaither	Kendall	Turner
Berryman	Godfrey	Leonard	Wilson
Caffey	Golson	Moses	Word
Cooper	Green	Roberts	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 627. Relating to the Fifth Judicial Circuit; Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Farmer	Haltom	Rutledge
Archer	Gaither	Jones	Shelton
Berryman	Godfrey	Leonard	Turner
Caffey	Golson	Moses	Webb
Cooper	Graham	Roberts	Word
Crawford			—24

Nays: —0

The Bill:

H. 652. Relating to Mobile County; To provide that the laws governing the countywide Civil Service System of Mobile County shall apply to any person holding the position of Chief Clerk, unclassified, in the office of the Tax Assessor of Mobile County, provided that such person shall have held such position continuously for a period of not less than eighteen years; and to provide for the placing of such person

upon the employment roster of the Civil Service System of Mobile County, without examination and without any decrease in the salary of such person.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison	
Andrews	Gaither	Hines	Rutledge	
Archer	Givhan	Kendall	Shelton	
Barnett	Golson	Leonard	Turner	
Caffey	Graham	Porter	Wilson	
Crawford	Green	Roberts	Word	
deGraffenried				—24

Nays: —0

The Bill:

H. 799. To provide an allowance to each official court reporter of the circuit courts in the Fifth Judicial Circuit payable by the counties composing said circuit to reimburse him for expenses incurred in the performance of his official duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford	
Archer	Eddins	Jones	Shelton	
Barnett	Farmer	Leonard	Webb	
Caffey	Givhan	Moses	Wilson	
Cooper	Golson	Roberts	Word	
Crawford	Graham	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 850. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

was taken up.

Mr. Berryman offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 850

Amend the H. B. 850 by striking in Section 1 thereof the property described as "tract 1" therein.

Further amend the Bill by striking the words and figures "tract 2", "tract 3", "tract 4", "tract 5", "tract 6", "tract 7", "tract 8", "tract 9", "tract 10", "tract 11", where the same appear in Section 1 thereof and by substituting in lieu thereof the following, respectively, "tract 1", "tract 2", "tract 3", "tract 4", "tract 5", "tract 6", "tract 7", "tract 8", "tract 9", "tract 10".

Further amend said Bill by striking the period at the end of the paragraph designated "tract 5", inserting in lieu thereof a comma and by adding the following: "and also that part of the property shown on said map to be owned by Robert J. Gibson in said Section 11 which lies immediately east of, adjacent to and contiguous with the property of C. W. Mitchell and immediately west of the Decatur-Danville Road."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Hines	Rutledge	
Andrews	Givhan	Kendall	Samford	
Archer	Godfrey	Moses	Turner	
Berryman	Golson	Porter	Webb	
Cooper	Green	Roberts	Word	
Crawford	Haltom	Robison	Wyatt	
Dumas				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Farmer	Hines	Rutledge	
Andrews	Givhan	Kendall	Samford	
Archer	Godfrey	Moses	Turner	
Berryman	Golson	Porter	Webb	
Cooper	Green	Roberts	Word	
Crawford	Haltom	Robison	Wyatt	
Dumas				—24

Nays: —0

The Bill:

H. 882. To amend Section Six (6) of an Act approved March 28, 1955, and found in Acts of Alabama, 1955, Volume 1, pages 122-123, relating to the appointment of an Assistant Treasurer of Mobile County; and providing for the qualifications, term, duties, bond, compensation, and manner and method of paying same, and fixing time at which said Act shall go into effect.

was taken up.

Mr. Caffey offered the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL NUMBER 882

Strike therefrom the words and figures "five thousand ($5000) dollars" and substitute therefor the words and figures "four thousand eight hundred ($4800) dollars;" also strike the words and figures "six thousand ($6000) dollars" and substitute therefor the words and figures "five thousand four hundred ($5400) dollars."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Gaither	Hines	Samford	
Archer	Givhan	Jones	Turner	
Barnett	Golson	Leonard	Webb	
Caffey	Graham	Moses	Word	
Cooper	Green	Roberts	Wyatt	
Crawford				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Gaither	Hines	Samford	
Archer	Givhan	Jones	Turner	
Barnett	Golson	Leonard	Webb	
Caffey	Graham	Moses	Word	
Cooper	Green	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 883. To amend Section 41, Title 62 of the Code of Alabama, 1940, as amended by Act 412 of the Regular Session 1947, of the Legislature of Alabama, approved September 19, 1947.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Robison	
Andrews	Gaither	Jones	Rutledge	
Archer	Givhan	Leonard	Shelton	
Barnett	Golson	Moses	Turner	
Caffey	Graham	Porter	Wilson	
Crawford	Green	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 968. Relating to the purging of voter registration lists in Covington County; providing for periodic reidentification of registered voters in Covington County and for the removal of the names of those now required by law to be stricken from the lists of registered voters in Covington County; providing for supplies to carry out reidentification and to maintain current voter files in the county; providing for the administration and enforcement of the act; and prescribing penalties.

was taken up.

Mr. Kendall offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 968

On page 6, in Section 15, strike out "In all cases, the board of registrars must complete its reidentification meetings within two years from the date registration began in the county and within the calendar year of 1970 and each 10 years thereafter." and insert "The voters of the county shall be allowed a period of two years from the date voter identification began in which to apply for reidentification."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Hines	Rutledge
Barnett	Givhan	Kendall	Shelton
Berryman	Godfrey	Moses	Webb
Caffey	Golson	Porter	Wilson
Cooper	Green	Roberts	Word
Crawford			—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Hines	Rutledge
Barnett	Givhan	Kendall	Shelton
Berryman	Godfrey	Moses	Webb
Caffey	Golson	Porter	Wilson
Cooper	Green	Roberts	Word
Crawford			—24

Nays: —0

The Bill:

H. 1033. Relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Farmer	Green
Archer	Crawford	Givhan	Haltom
Berryman	deGraffenried	Golson	Jones
Caffey	Dumas	Graham	Leonard

Moses	Robison	Shelton	Webb	
Porter	Rutledge	Turner	Word	
Roberts				—24

Nays: —0

The Bill:

H. 1071. To amend Act No. 737, S. 548, approved September 20, 1957, an act providing for the operation of the county board of equalization of each county having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census (Acts of Alabama 1957, Vol. II, pp. 1158, 1159).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Hines	Shelton	
Berryman	Givhan	Leonard	Turner	
Caffey	Godfrey	Porter	Webb	
Cooper	Graham	Roberts	Wilson	
Crawford	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 1069. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Jones	Shelton	
Berryman	Farmer	Leonard	Turner	
Caffey	Givhan	Moses	Wilson	
Cooper	Godfrey	Porter	Word	
Crawford	Golson	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 1067. Relating to counties having a population of not less than 75,000 nor more than 93,000 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Berryman	Crawford	Gaither
Andrews	Caffey	Dumas	Godfrey
Barnett	Cooper	Eddins	Golson

Graham	Jones	Roberts	Webb
Green	Leonard	Rutledge	Wilson
Haltom	Moses	Shelton	Wyatt
Hines			

—24

Nays: —0

The Bill:

H. 1042. Proposing an amendment to the Constitution of Alabama relative to the costs and charges of courts in St. Clair County and the compensation of certain officers of St. Clair County.

Was read a third time at length as required by the Constitution and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Barnett	Eddins	Jones	Samford
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Moses	Webb
Cooper	Graham	Porter	Wilson
Crawford	Green	Roberts	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 1041. To change the method of compensating certain officers of St. Clair County: Fixing the salaries of such officers, and providing for the clerical assistance, office space, equipment, and supplies necessary for the conduct of their offices.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Eddins	Kendall	Shelton
Archer	Farmer	Leonard	Turner
Caffey	Gaither	Moses	Webb
Cooper	Golson	Roberts	Wilson
Crawford	Green	Robison	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 1039. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Jones	Samford
Archer	Givhan	Leonard	Shelton
Berryman	Godfrey	Moses	Webb
Cooper	Graham	Roberts	Wilson
Crawford	Green	Robison	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 1038. To authorize the governing body of any municipality in the State of Alabama having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use of facilities under its jurisdiction and control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipality and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Farmer	Hines	Shelton
Archer	Gaither	Kendall	Turner
Barnett	Golson	Moses	Webb
Berryman	Graham	Porter	Word
Caffey	Green	Robison	Wyatt
Cooper			

—24

Nays: —0

The Bill:

H. 1037. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 28, T16N, R18E, Montgomery County, Alabama, and Section 21, T16N, R18E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Samford
Andrews	Gaither	Jones	Shelton
Archer	Givhan	Kendall	Turner
Berryman	Godfrey	Moses	Webb
Caffey	Graham	Porter	Wilson
Cooper	Green	Robison	Word
deGraffenried			

—24

Nays: —0

The Bill:

H. 1023. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal census; to authorize and empower the judge of probate in any such county to delegate and assign duties, ministerial functions and authority to the chief clerk and other clerks and personnel of such probate court and its divisions and offices; to delegate and assign to, and invest in the chief clerk of such probate court the title, duties and power of clerk of the probate court of such county, and to further prescribe the powers, duties and authority of such (chief clerk as) clerk and register of such probate court; to authorize the appointment of deputy clerks-registers in each office of such probate court from the personnel in such offices.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 1023

House Bill 1023 is hereby amended by adding at the end of Section 2 and before Section 3 a new section as follows:

"Section 2A. Any appointment or designation pursuant to this Act shall be subject to the provisions of any civil service or merit system law applicable to counties to which this act applies."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Farmer	Jones	Shelton
Archer	Gaither	Leonard	Webb
Berryman	Givhan	Moses	Wilson
Caffey	Graham	Roberts	Word
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford
Andrews	Farmer	Jones	Shelton
Archer	Gaither	Leonard	Webb
Berryman	Givhan	Moses	Wilson
Caffey	Graham	Roberts	Word
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1024. To levy a license tax in Jefferson County, Alabama, on persons and others engaged in selling alcoholic, spirituous, vinous, or fermented liquor at retail; to provide that the tax be measured by the kind and quantity of such beverages so sold; to provide for the payment of such tax, the making of records and reports, and the maintaining of records with respect thereto; to provide for the collection and distribution of said tax, and the enforcement of the provisions of this act; to provide that the County Commission of Jefferson County, Alabama, shall have authority to adopt ordinances, rules and regulations pertaining to the collection of the tax, and the making of reports and maintaining of records with respect thereto, and providing that such ordinances, rules, and regulations shall have the force and effect of law; to provide that the tax imposed shall constitute a debt to the county and may be collected by civil suit in addition to all other methods provided by law; to provide penalties for the violation of the provisions of this act; to provide that the tax, together with interest and penalties with respect thereto, shall constitute, and be secured by, a lien upon the property of any person from whom the tax is due; to require any person or others engaged in selling alcoholic, spirituous, vinous, or fermented liquor to obtain a permit from the Department of Revenue of Jefferson County, and to file a bond in an approximate sum of two times the estimated average monthly tax; to provide that the revenue derived from the tax, less the cost of collection shall be used solely to care for indigent sick and injured persons, including the necessary facilities therefor, who are bona fide residents of the county. In the event that other taxes are levied for these purposes, then such tax shall be used for the construction and operation of an outpatient clinic.

was taken up.

The Standing Committee on Local Legislation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 1024

A BILL
TO BE ENTITLED
AN ACT

To levy a license tax in Jefferson County, Alabama, on persons and others engaged in selling alcoholic, spiritous, vinous, or fermented liquor at retail; to provide that the tax be measured by the kind and quantity of such beverages so sold, distributed, delivered, stored or taken out of storage; to provide for the payment of such tax, the making of records and reports, and the maintaining of records with respect thereto; to provide for the collection and distribution of said tax, and the enforcement of the provisions of this act; to provide that the County Commission of Jefferson County, Alabama, shall have authority to adopt ordinances, rules, and regulations pertaining to the collection of the tax, and the making of reports and maintaining of records with respect thereto, and providing that such ordinances, rules, and regulations shall have the force and effect of law; to provide that the tax imposed shall constitute a debt to the county and may be collected by civil suit in addition to all other methods provided by law; to provide penalties for the violation of the provisions of this act; to provide that the tax, together with interest and penalties with respect thereto, shall constitute, and be secured by, a lien upon the property of any person from whom the tax is due; to require any person or others engaged in selling alcoholic, spirituous, vinous, or fermented liquor to obtain a permit from the Department of Revenue of Jefferson County, and to file a bond in an approximate sum of two times the estimated average

monthly tax; to provide that the revenue derived from the tax, less the cost of collection shall be used solely to care for indigent sick and injured persons, including the necessary facilities therefor, who are bona fide residents of the county; to provide that in the event that other taxes are levied for these purposes, then such tax shall be used for the construction and operation of an outpatient clinic; to repeal any act now in effect in Jefferson County, Alabama, which levies a license tax on the sale of alcoholic, spirituous, vinous or fermented liquors, the proceeds of which tax are used exclusively for indigent patient care.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply in Jefferson County Alabama. This act shall have the effect or repealing any act now in effect in Jefferson County which levies a license tax on the sale of alcoholic, spirituous, vinous, or fermented liquor, when the revenue derived from such tax is used solely for indigent patient care.

Section 2. Definitions. When used in this Act the term (a) "hotel" (b) "restaurant" (c) "club" (d) "corporation" (e) "State Liquor Store" (f) "Liquor" (g) "malt" or brewed beverages" (h) "wine" (i) "municipality" (j) "package" (k) "person" (l) "sale" or "sell", shall have the same meaning ascribed to them by Section 1 of Title 29 of the 1940 Code of Alabama, provided, however, the term "person" shall not mean and include the Alabama Alcoholic Beverage Control Board, nor the members, officers, or employees thereof, while engaged in the performance of their duties under the Alabama Alcoholic Beverage Control Act nor any liquor store or warehouse established, operated and maintained by the said Alabama Alcoholic Beverage Control Board under said Act.

Section 3. (a) Every person engaged in the sale of alcoholic, spirituous, vinous or fermented liquor, except malt or brewed beverages of an alcoholic content not in excess of four percent by weight and five percent by volume, shall, in addition to all other taxes and licenses now imposed by law, pay a license tax to Jefferson County, and a license tax is hereby fixed and created in the following amounts: Whiskey, gin, brandy, rum, vodka, cocktails, and all other alcoholic beverages except malt beverages, wines and other fermented beverages, sold, distributed, delivered, stored, or taken out of storage within the county, on each bottle or container of two (2) ounces or less, ten cents (10c); on each bottle or container of more than two (2) ounces and not more than one-half pint, twenty-five cents (25c); on each bottle or container of more than one-half pint and not more than one pint, one dollar ($1.00); on each bottle or container of more than one pint and not more than one-fifth of a gallon one dollar and sixty cents ($1.60); on each bottle or container of more than one-fifth of a gallon and not more than one quart, two dollars ($2.00); on each bottle or container of more than one quart; two dollars ($2.00) plus ten cents (10c) for each one and six-tenths (1-6/10) ounces or fractional part thereof in excess of one quart. Wines and other fermented beverages sold, distributed, delivered, stored, or taken out of storage within the county, on each bottle or container, twenty-five cents (25c). The tax hereby levied shall be paid by and through the purchase of stamps or decals purchased from the Director of Revenue of the county. It shall be unlawful for any person subject to this act to have in his possession any beverage subject to the tax hereby levied unless such person has at the place where such beverage is located a receipt issued by the store from which he purchased said beverage showing the time of purchase. Any person selling any bottle or container of two (2) ounces or less containing a beverage subject to the tax hereby levied shall simultaneously with said sale obliterate the stamp affixed to the said bottle or container; any

person subject to the tax levied by this act who withdraws any beverage subject to the tax hereby levied from a bottle or container of more than two (2) ounces shall immediately break or destroy the bottle or container upon the same being emptied. Provided, however, that where the additional license tax hereby required to be paid shall have been paid by a person or distributor or seller of alcoholic, spirituous, vinous or fermented liquors subject to this act, such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on the same identical beverage; provided further, however, that any person, in order to be exempt under this provision shall first comply with the provisions of subsection (b) of this section. (b) Any person selling, distributing, delivering, storing or taking out of storage alcoholic, spirituous, vinous or fermented liquors purchased from any other person who has paid the license tax thereon as fixed in subsection (a) of this section shall not be required to pay such license; provided, however, that in order to obtain such exemption such person claiming such exemption must, on or before the fifteenth day of the month next succeeding the effective date of this Act, and on or before the 15th day of each and every calendar month thereafter, file with the Director of the Department of Revenue of Jefferson County, a written statement, sworn to and subscribed by such person claiming exemption, showing the name and address of such person, each and every purchase, receipt or procurement of alcoholic, spirituous, vinous or fermented liquors made by such person during the calendar month next preceeding, together with the name and address of the person from whom purchased, received or procured, and the brand of such beverage, the quantity of each brand of such beverages, the size of containers of each brand of such beverages, the date or dates on which purchased, received or procured, and the disposition thereof by such person claiming the exemption; such statement to be made on forms prescribed by the Director of the Department of Revenue of Jefferson County. (c) Each and every person selling, distributing, delivering, storing, or taking out of storage alcoholic, spirituous, vinous or fermented liquors subject to this Act, except such as claim and obtain exemption under the provisions of subsection (b) of this section, shall, on or before the 15th day of the month next succeeding the effective date of this Act, and on or before the 15th day of each and every month thereafter, file with the Director of the Department of Revenue of Jefferson County, on forms prescribed by the said Director of Revenue, a written statement, sworn to and subscribed by such person, showing the name and address of such person, each and every purchase, receipt or procurement of alcoholic, spirituous, vinous or fermented liquors made by such person during the calendar month next preceeding, together with the name and address of the person from whom purchased, received or procured, the brand of such beverages, the quantity of each brand of such beverages, the size of containers of each brand of such beverages and the date or dates on which purchased, received, or procured; and any person failing, refusing or omitting to file such statement as herein prescribed shall be guilty of a misdemeanor, and each day that such default continues shall constitute a separate offense.

Section 4. The county commission, is hereby authorized to adopt rules and regulations upon the recommendation of the Director of the Department of Revenue of Jefferson County, consistent with good fiscal policy, to assist and guide the efforts of the Director of Revenue in the collection of the license tax herein levied. Provided the County Commission is authorized to have prepared and to purchase stamps, decals, or other means of identification to assure the collection of the tax and assist in the enforcement of the provisions of this Act. Such stamps, or other means of identification, shall be delivered to the Director of Revenue to be used by him in the collection

and enforcement of the provisions of this Act. Each stamp, or other means of identification, shall have inscribed thereon the words "Jefferson County Beverage Tax", but such words need not be arranged in the foregoing order and may be abbreviated, and such stamps shall show the amount of the tax covered by the said stamps. Any person having in their possession any unstamped or improperly stamped beverage or beverages subject to the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than $100.00.

Section 5. Every person subject to the provisions of this Act shall within one hour after the receipt of any such alcoholic, spirituous, vinous, or fermented liquor within the county, unless sooner offered for sale, cause stamps in the requisite amount of tax to be affixed. After such stamping has begun, it shall be continued with reasonable diligence by such person until all of the unstamped alcoholic, spirituous, vinous or fermented liquor required to be stamped has been stamped. Such stamps shall be affixed to each individual bottle or other container as provided in this act in such a manner that its removal will require continued application of water or steam.

Section 6. (a) Any person before engaging in selling, distributing, delivering, storing or taking out of storage any alcoholic, spirituous, vinous or fermented liquors in Jefferson County shall file with the Director of Revenue a bond in the approximate sum of two times the average monthly tax estimated by the Director of Revenue which will be due by the applicant. The bond shall be in such form and amount as may be approved by the Director of Revenue, shall be executed by a surety company licensed and duly authorized to do business in Alabama, shall be payable to the county subject to the provisions of this Act, and be conditioned upon the prompt filing of true reports, proper stamping as herein provided, and the payment by the applicant to the Director of Revenue of the license tax herein fixed and provided, together with all penalties thereon, and generally upon faithful compliance with the provisions of this Act. Upon the filing of such bond and approval thereof, the Director of Revenue shall issue a permit to applicant to engage in such business so long as applicant may not be in default in compliance with the provisions of this Act. It shall be unlawful and constitute a misdemeanor for any person to engage in selling, distributing, delivering, storing or taking out of storage any alcoholic, spirituous, vinous or fermented liquors in Jefferson County without first having filed the bond and secured the permit as required herein. (b) In the event the liability upon any bond filed under the provision of this Act shall be discharged or reduced, whether by judgment rendered, payment made, or otherwise, or if in the opinion of the Director of Revenue any surety on the bond theretofore given which becomes unsatisfactory or unacceptable, then the Director of Revenue may require the filing of a new or additional bond conditioned as hereinabove provided and in the event of the failure of any person, within ten days of written notice to it by the Director of Revenue to file such new or additional bond, the Director of Revenue shall revoke the permit issued to such person. (c) If the Director of Revenue shall decide that the amount of any existing bond filed by any person is insufficient, the Director of Revenue may order such person to file, within ten days after written notice by the Director of Revenue to such person, a new or additional bond in such amount as the Director of Revenue may find reasonably necessary to insure payment of all amounts due or to become due the county, and if such new or additional bond is not filed within ten days after such notice from the Director of Revenue, the Director

of Revenue may revoke the permit already issued to such person. (d) Any surety on any bond furnished by any person, as above provided, shall be released and discharged from any and all liability to the county accruing on such bond after the expiration of sixty days from the date upon which surety shall have filed with the Director of Revenue written request to be released and discharged, provided, however, that such request shall not operate to relieve, release or discharge such surety from any liability already accrued, or which shall accrue before the expiration of said sixty day period. The Director of Revenue shall promptly upon receipt of notice of such request notify the person who furnished such bond of the request of the surety on said bond, and unless such person shall, on or before the expiration of such sixty day period, file with the Director of Revenue a new bond in the amount and form hereinabove in this section provided, the Director of Revenue shall forthwith cancel the permit of said person.

Section 7. It shall be unlawful for any person having no place of business within Jefferson County to make any sale, distribution, or delivery of any alcoholic, spirituous, vinous or fermented liquors within the county without first having obtained a permit to do so from the Director of the Department of Revenue of Jefferson County; and such person shall be liable for and subject to the license tax fixed and specified in section 3 (a) of this Act.

Section 8. (a) It shall be the duty of any person subject to the license tax imposed by this Act to keep full and complete records of all purchases, receipts, inventories and of all other matters from which the correct amount of license tax to which such person is subject may be ascertained; and in the event that such person shall discontinue his business, he shall not destroy or dispose of such records until he shall have given the Director of Revenue thirty days notice in writing of his intent to destroy or dispose of such records. The failure of such person to keep such records, or his destruction or disposition of such records without giving such notice, shall constitute a misdemeanor. (b) Upon demand by the Director of Revenue or his authorized deputy, auditor, or representative, it shall be the duty of any such person subject to the license tax imposed by this Act to furnish such demanding person, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination, during reasonable hours, at such person's place of business within Jefferson County, all books of accounts, invoices, papers, reports, memoranda containing entries showing the amount of purchases, receipts, inventories, and any other information from which the correct amount of license tax to which such person is subject may be determined and any person failing or refusing to submit such records for such inspection and examination upon such demand shall be guilty of a misdemeanor. (c) If any person subject to the provisions of this act does not have in such person's control or possession, within Jefferson County, true and intelligible books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for determination of the correct amount of the license tax due, or if having in such person's possession or under such person's control such books, invoices, papers, reports or memoranda, such person shall fail or refuse to submit and exhibit the same for inspection and examination as herein required, then, in either event, it shall be the duty of the Director of the Department of Revenue of Jefferson County to ascertain, from such information and data

as he may reasonably obtain, the correct amount of license tax due from such person, and to assess the same against such person and to give such person notice of said assessment and to demand of such person immediate payment of the amount of such license tax. If the amount of the license tax so ascertained and demanded is not paid within ten days after receipt of notice of the assessment and demand for payment thereof, then, so long as said amount remains unpaid it shall be unlawful, and shall constitute a misdemeanor, for the person to engage in business, and each day's engagement in such business shall constitute a separate offense.

Section 9. Among others the following acts and omissions shall be unlawful: (a) It shall be unlawful for any person subject to the license tax imposed by this Act to fail to affix any stamps in the manner or within the time required by this act. (b) It shall be unlawful for any person to sell, offer for sale, or deliver within Jefferson County any alcoholic, spirituous, vinous, or fermented liquor on which stamps are required and have not been properly affixed. (c) It shall be unlawful for any person to have in his possession or under his control any alcoholic, spirituous, vinous, or fermented liquors not properly stamped as required for more than one hour after receipt of such alcoholic, spirituous, vinous or fermented liquor on the premises of such person. (d) It shall be unlawful to manufacture, buy, sell, offer for sale, or possess or to attempt any reproduction or counterfeit of the samps provided for or to alter or cause to be altered any stamp provided for. (e) It shall be unlawful to remove from a bottle or container of alcoholic, spirituous, vinous or fermented liquors, or otherwise prepare, any stamp with intent to use or cause the same to be used after it has already been used; to buy, sell or offer for sale, or give away, any washed, removed, altered or restored stamp to any person, or to have in possession any such washed, removed, restored, or altered stamp, or for the purpose of indicating the payment of any tax hereunder, to reuse any tax stamp which has heretofore been used for the payment of any tax provided in this Act, or, except as to the Director of Revenue, to sell any stamp provided for herein. (f) The Director of Revenue, his agent, or any peace officer of said county, shall have authority to seize without warrant any and all alcoholic, spirituous, vinous, or fermented liquors on which the license tax levied by this Act has not been paid, including the containers or packages in which such alcoholic, spirituous, vinous or fermented liquors are found, in the possession of any person violating the provisions of this Act, and such alcoholic, spirituous, vinous or fermented liquor in the possession of such persons are hereby declared to be contraband goods and upon such confiscation shall be delivered to the Director of Revenue for sale at public auction to the highest bidder after due advertisement; the Director of Revenue may deliver such alcoholic, spirituous, vinous or fermented liquor to the County Purchasing Agent to be sold at public auction as herein provided; the proceeds of the sale of any such alcoholic, spirituous, vinous or fermented liquor sold hereunder after paying all costs shall be distributed by the Director of Revenue as provided in Section 10 of this Act. The arresting officer or person making the seizure shall proceed as follows: First he shall cause a list, containing a particular description of the alcoholic, spirituous, vinous or fermented liquor seized, showing the quantity of each brand, the size and kind of containers of each brand, the date or dates on which confiscated, and the person or persons from whom confiscated, to be prepared in duplicate. The said officer or person shall proceed to post a notice for three weeks in writing at three places in the county, that the seizure was made, describing the alcoholic, spirituous, vinous or fer-

mented liquor, the quantity of each brand, the size of containers of each brand, stating the time and place and cause of their seizure, and requiring any person claiming them to appear and make such claim within thirty days from the date of the first posting of such notice. Second, any person claiming said liquors so seized as contraband within the time specified in the notice, may file with the Director of Revenue a claim in writing stating his interest in the articles seized, and shall execute a bond to the Director of Revenue in the penal sum equal to double the value of the alcoholic, spirituous, vinous or fermented liquor so seized, but in no case will the said bond be less than the sum of two hundred dollars ($200.00), with sureties to be approved by the Director of Revenue, conditioned that in the case of condemnation of the alcoholic, spirituous, vinous or fermented liquor the obligor shall pay to the Director of Revenue the full value of the alcoholic, spirituous, vinous or fermented liquor so seized, and all costs and expenses of the proceeding to obtain such condemnation, including a reasonable attorney's fee. Upon the delivery of such bond to the Director of Revenue, he shall transmit the same with the duplicate list or description of the alcoholic, spirituous, vinous or fermented liquor so seized to the county attorney, or to the solicitor of the county, and the said county attorney or solicitor shall file a bill in the Circuit Court in Equity to secure the forfeiture of said alcoholic, spirituous, vinous or fermented liquor and the bottles and containers in which seized. Upon filing the bond as aforesaid, the said alcoholic, spirituous, vinous or fermented liquor shall be delivered to the claimant pending the outcome of said case; provided, however, the proper license tax must be paid by the claimant before said alcoholic, spirituous, vinous or fermented liquor are delivered by the Director of Revenue. Third, if no claim is interposed or no bond given within the time above specified, such alcoholic, spirituous, vinous or fermented liquor shall be forfeited without further proceedings and the same shall be sold as herein provided. The proceedings against such alcoholic, spirituous, vinous or fermented liquor pursuant to the provisions of this subsection shall be considered as proceedings in rem.

Section 10. The license tax required to be paid to the Director of Revenue by this Act shall be received by him, and shall be distributed by him on or before the 15th day of the month following the month in which it is received, as follows: Two percent of said tax shall be paid to the Director of Revenue to be paid by him into the general treasury of the county for the collection, enforcement, and distribution of said tax; the remainder of said tax after first deducting the two percent as above provided, shall be paid by the Director of Revenue into a special fund known as the "Jefferson County Indigent Patient Care Fund" to be distributed on proper resolution by the County Commission exclusively for residents of Jefferson County in the care of indigent patient requirements, including the construction, maintenance or operation of emergency room facilities; provided, further, that if other taxes are levied for the foregoing purposes, then the tax hereby levied, or part thereof, may be used for the construction, maintenance or operation of an outpatient clinic exclusively for residents of Jefferson County. Provided, further, if there be in the county a county hospital authority, or county indigent pay authority, or any similar authority created by legislative act for the purpose of administering funds for indigent patient care, then such tax shall be paid by the Director of Revenue to such authority.

Section 11. It shall be the duty of the Director of Revenue to enforce the provisions of this Act, including the inspection of the prem-

ises of anyone engaged in the sale of alcoholic, spirituous, vinous or fermented liquor, It shall be unlawful for any person to interfere or obstruct the Director of Revenue, his inspector, auditor or representative in the exercise of the power and authority conferred by this act.

Section 12. Any person violating any of the provisions of this Act, shall, upon conviction, be punished by a fine of not more than five hundred dollars ($500.00) and may also be sentenced to hard labor for the county for not exceeding six months, either or both. It shall be the duty of the Director of Revenue to receive the license tax herein levied and to make distribution as herein provided. It shall be the duty of the Director of Revenue to enforce the provisions of this Act and to check the books, records, etc., of any such person subject to the license tax imposed by this Act.

Section 13. Severability—If, for any reason, any clause, sentence, subsection, section or provision of this Act, or the application thereof to any person, body, situation or circumstance is held invalid or inoperative, the remainder of this Act and the application thereof to any other person, body, situation or circumstance shall not be affected thereby.

Section 14. This Act shall take effect on the first day of the month following its passage and approval by the Governor or otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Hines	Shelton	
Barnett	Gaither	Jones	Turner	
Berryman	Golson	Moses	Webb	
Caffey	Graham	Porter	Word	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Hines	Shelton	
Barnett	Gaither	Jones	Turner	
Berryman	Golson	Moses	Webb	
Caffey	Graham	Porter	Word	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 982. To amend Section 799, Title 37, of the 1940 Code of Alabama, as heretofore amended.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Farmer	Jones	Shelton
Archer	Gaither	Kendall	Turner
Berryman	Givhan	Moses	Webb
Caffey	Graham	Porter	Word
Cooper	Green	Robison	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 700. To provide for the designation by the state highway department of the bridge on Alabama Highway No. 35 across Little River at the DeKalb County-Cherokee County line as the "G. E. Hill Bridge."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Eddins	Jones	Shelton
Barnett	Gaither	Kendall	Webb
Berryman	Godfrey	Porter	Wilson
Caffey	Graham	Roberts	Word
Cooper	Green	Robison	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 701. To provide for the designation by the state highway department of certain highways in DeKalb County as "Desota Parkway."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Archer	Farmer	Jones	Samford
Berryman	Gaither	Kendall	Shelton
Caffey	Godfrey	Moses	Turner
Cooper	Graham	Porter	Wilson
Crawford	Green	Robison	Wyatt
deGraffenried			—24

Nays: —0

RESOLUTION

The Standing Committee on Rules reported the following Senate Resolution, to-wit:

S. R. 45. BE IT RESOLVED by the Senate that the following bills shall be special, paramount and continuing order of business until disposed of:

H. B. 763, page 88
H. B. 764, page 88
H. B. 758, page 89
H. B. 659, page 90
H. B. 679, page 77
H. B. 239, page 37
H. B. 521, page 47
H. B. 335, page 42
H. B. 797, page 84
H. B. 183, page 76
H. B. 366, page 12
H. B. 367, page 12
H. B. 368, page 12
H. B. 520, page 79
H. B. 228, page 83
H. B. 336, page 32
H. B. 786, page 91
H. B. 365, page 80
H. B. 289, page 48
H. B. 288, page 32
H. B. 337, page 14
H. B. 445, page 78
H. B. 596, page 42
H. B. 744, page 86
H. B. 23, page 9
H. B. 159, page 9
H. B. 160, page 9
H. B. 162, page 7
H. B. 420, page 38
H. B. 421, page 83
H. B. 377, page 93
H. B. 378, page 93
H. B. 379, page 93
H. B. 380, page 94
H. B. 381, page 94
H. B. 382, page 94
H. B. 383, page 94
H. B. 384, page 95

And on motion of Mr. Archer, the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 473. Providing for the utilization of convicts by the Commissioner of Corrections or the Director of the State Highway Department to work upon, clean, and restore certain cemeteries or graveyards.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Rutledge	
Archer	Eddins	Hines	Samford	
Barnett	Farmer	Jones	Turner	
Berryman	Gaither	Kendall	Webb	
Caffey	Godfrey	Leonard	Wilson	
Cooper	Golson	Porter	Wyatt	
Crawford	Graham			—29

Nays: —0

The Bill:

H. 695. To amend further Section 465 of Title 51, Code of Alabama 1940, in relation to the privilege license tax imposed on automobile accessory dealers.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	Hines	Rutledge	
Andrews	Farmer	Jones	Samford	
Archer	Gaither	Kendall	Shelton	
Barnett	Godfrey	Leonard	Turner	
Berryman	Golson	Porter	Webb	
Caffey	Graham	Roberts	Wilson	
deGraffenried	Green	Robison	Wyatt	
Dumas				—28

Nays: —0

MOTION TO ADJOURN LOST

At 7:25 P.M., Mr. Eddins moved that the Senate do now adjourn until Thursday, November 12, 1959, at 11 o'clock A.M., which motion was lost.

Yeas 10; Nays 19.

Yeas:

Messrs.:	Gaither	Green	Wilson	
Crawford	Golson	Roberts	Wyatt	
Eddins	Graham	Shelton		—10

Nays:

Messrs.:			
Andrews	Cooper	Haltom	Robison
Archer	deGraffenried	Hines	Rutledge
Berryman	Dumas	Jones	Samford
Caffey	Farmer	Kendall	Turner
	Godfrey	Porter	Webb

—19

BILLS ON THIRD READING RESUMED

The Bill:

H. 763. To make additional appropriations to The Board of Trustees of the University of Alabama, for mental health purposes, including payment of salaries of professional and related personnel in the Department of Psychiatry of the Medical College of Alabama, operation of the out-patient Mental Health Clinic of said College, payment of stipends and scholarships to trainees in the field of psychiatry, and hospitalization of medically indigent mental patients in University Hospital and Hillman Clinics.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 763

A BILL
TO BE ENTITLED
AN ACT

To make additional appropriations to The Board of Trustees of the University of Alabama, for mental health purposes, including payment of salaries of professional and related personnel in the Department of Psychiatry of the Medical College of Alabama, operation of the out-patient Mental Health Clinic of said college, payment of stipends and scholarships to trainees in the field of psychiatry, and hospitalization of medically indigent mental patients in University Hospital and Hillman Clinics, and to make additional appropriations to the State Department of Public Health for mental health purposes, including establishment and operation of mental hygiene clinics and training and research in the field of mental health.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other funds heretofore appropriated to The Board of Trustees of the University of Alabama, there are hereby appropriated to The Board of Trustees of the University of Alabama for each of the two fiscal years ending respectively September 30, 1960, and September 30, 1961, the sums hereinafter provided, for the mental health purposes hereinafter set forth:

TO THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA:

(a) For the Medical College of Alabama, for salaries of professional and related personnel in its Department of psychiatry $ 50,000.00

(b) For the Medical College of Alabama, for operation of its out-patient Mental Health Clinic for residents of this state $ 50,000.00

(c) For the Medical College of Alabama, for stipends and scholarships to be paid to trainees in the field of psychiatry,

For the fiscal year ending September 30, 1960 $ 1,666.00
For the fiscal year ending September 30, 1961 $ 18,334.00

(d) For University Hospital and Hillman Clinics, for expenses of hospitalization of medically indigent mental patients who are residents of this state $100,000.00

Section 2. In addition to all other funds heretofore appropriated to the State Department of Public Health, including the appropriations heretofore made by Act No. 98 heretofore adopted at the 1959 Regular Session of the Legislature, there is hereby appropriated to the State Department of Health for each of the two fiscal years ending respectively on September 30, 1960, and on September 30, 1961, to be used for the following mental health purposes:

TO THE STATE DEPARTMENT OF PUBLIC HEALTH:

For: (a) The establishment and operation of mental hygiene clinics in the state; (b) The Training of personnel for services in the field of mental health; and (c) Research in the field of mental health $ 50,000.00

Section 3. The appropriations herein made shall be paid from the funds deposited in the State Treasury to the credit of the Alabama Special Mental Health Fund.

Section 4. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 19; Nays 0.

Yeas:

Messrs.:	Crawford	Godfrey	Jones
Andrews	deGraffenried	Graham	Kendall
Archer	Dumas	Green	Porter
Berryman	Eddins	Haltom	Robison
Cooper	Gaither	Hines	Webb

—19

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Godfrey	Porter
Andrews	deGraffenried	Graham	Robison
Archer	Dumas	Green	Samford
Barnett	Eddins	Haltom	Shelton
Berryman	Farmer	Hines	Turner
Caffey	Gaither	Kendall	Webb
Cooper			

—24

Nays: —0

The Bill:

H. 764. To make additional appropriations to the state institutions for the mentally ill and the mentally deficient for the two fiscal years ending September 30, 1960, and September 30, 1961, such appropriations to be paid from the Alabama Special Mental Health Fund.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Crawford	Haltom	Robison
Andrews	deGraffenried	Hines	Shelton
Archer	Eddins	Jones	Turner
Barnett	Farmer	Kendall	Webb
Berryman	Godfrey	Porter	Wilson
Caffey	Graham		

—21

Nays: —0

The Bill:

H. 758. To provide for the manner of payment, disposition and use of purchase money paid or payable for sale of any lands belonging to the State of Alabama for the use of the Insane of the State, situated in Mount Vernon Barracks Military Reservation, in Mobile County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Crawford	Green	Robison
Andrews	deGraffenried	Haltom	Rutledge
Archer	Eddins	Hines	Shelton
Barnett	Farmer	Jones	Turner
Berryman	Gaither	Kendall	Wilson
Caffey	Godfrey	Porter	Wyatt
Cooper	Graham		

—25

Nays: —0

The Bill:

H. 679. To require the state department of education to furnish free textbooks to pupils and teachers in classrooms or schools conducted under the supervision of the Alabama state hospitals.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Robison
Andrews	deGraffenried	Green	Rutledge
Archer	Dumas	Haltom	Shelton
Barnett	Eddins	Hines	Turner
Berryman	Farmer	Jones	Webb
Caffey	Gaither	Kendall	Wilson
Cooper	Godfrey	Porter	Wyatt

—27

Nays: —0

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Thirty-fifth Legislative Day was approved by the Senate.

ADJOURNMENT

At 8:04 P.M., on motion of Mr. Crawford, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Thursday, November 12, 1959, at 11 o'clock A.M.

THIRTY-SIXTH LEGISLATIVE DAY

THURSDAY, NOVEMBER 12, 1959

The Senate met pursuant to adjournment, Lieutenant Governor Boutwell presiding.

PRAYER

The Session was opened with prayer by the Reverend Joseph Toomey, Pastor, Queen of Mercy Catholic Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Rutledge
Archer	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Roberts	Wyatt

—35

JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively and finds same correctly enrolled, to-wit:

S. 13. To provide that all powers, authority and duties of the Alabama Pension Commission shall be transferred and assigned to the State Department of Pensions and Security; to direct the State Department of Pensions and Security to carry out the provisions of law applicable to the payment of pensions to Confederate veterans and their widows; to provide for the transfer of all records, reports, books, accounts, documents, files and other recorded material of the Alabama Pension Commission to the State Department of Pensions and Security; to provide for the duties of the Commissioner of the State Department of Pensions and Security as related thereto; and to repeal Title 60, Chapter 1, Sections 2, 6, 10, 14, 41 and 42, Code of Alabama 1940 which relate to the payment of pensions to Confederate veterans and their widows.

Also:

S. 39. To establish a legislative committee to make an investigation to determine if certain businesses have formed a combination in restraint of trade or in preventing reasonable and fair competition, or have otherwise violated any of the monopoly or trust laws of this state; to provide for the selection of the committee, and to prescribe its powers, duties, and authority; to provide for the payment of the expenses of the committee out of funds appropriated for the use of the Legislature; to provide for the enforcement of the Act; and to prescribe penalties.

Also:

S. 111. To amend Section 6 of Act No. 27, S. 30, approved May 31, 1949 (Acts of Alabama, 1949), p. 39), which relates to the printing and publication of the acts and journals of the Legislature, by prescribing further the number of volumes of the bound acts to be printed and delivered to the Secretary of State.

Also:

S. 112. To amend Section 274 of Title 17, Code of Alabama (1940), which requires candidates to file with the secretary of state or the judge of probate the name or names of persons selected to receive, expend, audit, and disburse moneys subscribed, donated, or contributed for the purpose of promoting or aiding the nomination or election of such candidates.

Also:

S. 113. To amend Section 400 of Title 17, Code of Alabama (1940), which requires candidates in primary elections to file statements of campaign expenditures.

Also:

S. 123. To amend Section 107 of Title 17 of the Code of Alabama (1940), as amended by Act No. 584 of the 1949 Regular Session of the Legislature of Alabama (page 911 of Acts of 1949, approved September 19, 1949) which relates to instruction and assistance for voters at the polls where voting machines are used.

Also:

S. 172. Relating to commercial fertilizer and fertilizer material: To re-enact Section 292 of Title 2 of the Code of Alabama of 1940 heretofore repealed by Act No. 71 of the Legislature of 1951, approved June 6, 1951, said Section as re-enacted to require persons selling and shipping commercial fertilizer and fertilizer materials to notify the Commissioner of Agriculture and Industries of such sales and shipments for regulatory, control and statistical purposes.

Also:

S. 187. To permit the breeding of pen-raised quail for commercial purposes; to define pen-raised quail; to provide for the regulation of breeding pen-raised quail by the State Department of Conservation; to provide for the licensing of breeders of pen-raised quail; to provide the procedure for stamping carcasses of quail; to provide that an invoice shall be issued by the licensed breeder and shall be kept attached to such package until the quail are prepared for consumption; to provide that any person other than a retail vendor shall make a copy of the original invoice upon the resale of any such quail; to provide for the retention of records concerning the sale of such quail; to provide for the inspection of such records; to provide that persons shipping quail into this State shall be subject to the provisions of this Act; to provide for penalties; to repeal conflicting laws; and for other purposes.

Also:

S. 350. To make an appropriation from the state treasury for the relief of Hallie S. Chapman.

Also:

S. 357. To authorize and encourage joint action and cooperation between cattle raisers, cattle dealers and other handlers of cattle for the purpose of stabilizing, protecting, and promoting the cattle and beef industry in Alabama; recognizing the Alabama Cattlemen's Association as the representative and agent of the cattlemen of the state for the purpose of initiating and conducting certain programs designed to stabilize, protect and promote the cattle industry; authorizing providing for and regulating the levying and collection of assessments on sales of cattle to provide funds to finance such programs; placing certain duties relative to such assessments on the commissioner and the department of agriculture and industries; providing for a refund of any assessment collected under authority of this act to any cattleman who is dissatisfied with the levy thereof; and prescribing penalties.

Also:

S. 429. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Also:

S. 439. To further regulate the office of Circuit Solicitor of the 20th Judicial Circuit of Alabama; creating special funds for the pay-

ment of any expenses necessarily incurred for law enforcement, and to provide for the maintenance of a law library in each county of said Circuit and to provide for supplies, books, fixtures and facilities for use by or in the Office of Circuit Judge, Circuit Solicitor or in the Court room of each county in said Circuit.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively and finds same correctly enrolled, to-wit:

S. 3. To amend Title 51, Section 704, Code of Alabama, 1940, as amended, pertaining to ad valorem taxation of motor vehicles.

Also:

S. 5. To repeal Title 51, Section 225, Code of Alabama, 1940 pertaining to reports of tax collectors.

Also:

S. 53. To amend further Act No. 424, H. 351, approved August 19, 1949 (Acts of Alabama, 1949, p. 601), entitled "An Act To provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws," so as to provide for absentee voting only by certain electors.

Also:

S. 110. To amend Sections 278, 279, and 280 of Title 17, Code of Alabama (1940), which relate to the filing of statements of election campaign expenditures.

Also:

S. 133. To revise and amend Title 24, Code of Alabama 1940, which relates to hotels and innkeepers.

Also:

S. 192. To amend further Section 89 of Title 36, Code of Alabama 1940, which limits the size and weight of motor vehicles and loads.

Also:

S. 261. To provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940.

Also:

S. 280. To provide further for the service of process in civil suits growing out of motor vehicle accidents; providing an additional or alternative method of serving such process upon any person who was a resident of the State of Alabama when a motor vehicle, owned or operated upon the public highways in the State by such person was involved in an accident, but who has since absented himself from the State or concealed himself so that personal service cannot be had upon him.

Also:

S. 282. Relating to securities; prohibiting fraudulent practices in relation thereto; requiring the registration of securities dealers and salesmen and making unlawful the activities of unregistered securities dealers and salesmen; establishing the conditions precedent and concurrent to such registration; prohibiting the offer or sale of any unregistered security; requiring the registration of securities; and establishing the conditions precedent and concurrent to such registration; establishing the fees in connection with the registration of securities, securities dealers, and securities salesmen; setting out the grounds upon which a registration of securities may be denied, suspended, or revoked; defining certain terms as used in this Act; exempting certain securities from registration under the provisions of this Act; exempting certain transactions from certain provisions of this Act; requiring the filing of a consent to service of process by securities dealers and salesmen and certain issuers; making it unlawful to file any false document or material and providing the punishment therefor; giving to the Securities Commissioner authority to investigate and subpoena witnesses and records in connection with investigations; granting authority for an examination fee and deposit to defray the expense of any investigation of an applicant under this Act; giving to the Securities Commissioner authority to enjoin acts in violation of this Act; creating criminal penalties for violations of this Act; establishing civil liabilities for the violation of the provisions of this Act; providing for judicial review of the orders of the Securities Commissioner; providing for the administration of this Act by the Securities Commissioner; directing said Commissioner to appoint an Assistant Commissioner and giving said Commissioner authority to appoint other personnel to carry out the purpose and intent of this Act; providing that any exemption under this Act must be proved by the person claiming said exemption; making the provisions of this Act severable; repealing the present Alabama Securities Law and related legislation; giving to the Commissioner authority to issue warnings to the public with respect to securities; making the sale of securities by an insolvent issuer unlawful; providing that all filing and registration fees shall be paid into the General Fund of this state and establishing the effective date of this Act.

Also:

S. 284. To amend Act No. 743, H. 150, approved September 23, 1957 (Acts of Alabama, 1957, p. 1173), entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

Also:

S. 354. To amend Section 1 of Act No. 296, page 493, 1945 General Acts of Alabama, approved July 7, 1945, entitled "An Act To amend Section 55 of Title 8 of the Code of Alabama 1940" which pertains to the fees of arresting officers in game and fish cases.

Also:

S. 358. To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing, or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1024. To levy a license tax in Jefferson County, Alabama, on persons and others engaged in selling alcoholic, spirituous, vinous, or fermented liquor at retail; to provide that the tax be measured by the kind and quantity of such beverages so sold, distributed, delivered, stored or taken out of storage; to provide for the payment of such tax, the making of records and reports, and the maintaining of records with respect thereto; to provide for the collection and distribution of said tax, and the enforcement of the provisions of this act; to provide

that the County Commission of Jefferson County, Alabama, shall have authority to adopt ordinances, rules, and regulations pertaining to the collection of the tax, and the making of reports and maintaining of records with respect thereto, and providing that such ordinances, rules, and regulations shall have the force and effect of law; to provide that the tax imposed shall constitute a debt to the county and may be collected by civil suit in addition to all other methods provided by law; to provide penalties for the violation of the provisions of this act; to provide that the tax, together with interest and penalties with respect thereto, shall constitute, and be secured by, a lien upon the property of any person from whom the tax is due; to require any person or others engaged in selling alcoholic, spirituous, vinous, or fermented liquor to obtain a permit from the Department of Revenue of Jefferson County, and to file a bond in an approximate sum of two times the estimated average monthly tax; to provide that the revenue derived from the tax, less the cost of collection shall be used solely to care for indigent sick and injured persons, including the necessary facilities therefor, who are bona fide residents of the county; to provide that in the event that other taxes are levied for these purposes, then such tax shall be used for the construction and operation of an outpatient clinic; to repeal any act now in effect in Jefferson County, Alabama, which levies a license tax on the sale of alcoholic, spirituous, vinous or fermented liquors, the proceeds of which tax are used exclusively for indigent patient care.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1023. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal census; to authorize and empower the judge of probate in any such county to delegate and assign duties, ministerial functions and authority to the chief clerk and other clerks and personnel of such probate court and its divisions and offices; to delegate and assign to, and invest in, the chief clerk of such probate court the title, duties and power of clerk of the probate court of such county, and to further prescribe the powers, duties and authority of such (chief clerk as) clerk and register of such probate court; to authorize the appointment of deputy clerks — registers in each office of such probate court from the personnel in such offices.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

By Messrs. Edwards, Sessions, Morrow, Perry, Hawkins, Locke, and Rast:

H. 999. To amend further Act No. 259, H. 530, approved June 24, 1943, an act providing for appeals to the circuit court in certain coun-

ties having a population of 400,000 or more, according to the last or any subsequent federal decennial census, from decisions of the board of equalization (General Acts, Regular Session 1943, p. 230), which is known as "The Expeditious and Economical Tax Appeals Act."

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 996. To authorize the incorporation in any county in this state having a population of 500,000 or more, according to the last or any succeeding Federal Census, of a health care authority as a public corporation for hospital purposes, including, among others, the making of provisions for medical and hospital aid to the indigent sick of such county; to provide a method of effecting the incorporation of such authority and electing the members of its board of directors and its officers; to specify the powers of such board of directors and the powers of such authority; to provide for the payment to such authority by the county in which it is organized of all revenue received and held by such county from any tax levied by the state for the benefit of the county for health and medical care of indigent residents of the county, and to authorize such county to allocate and pay other funds to such authority; to provide for the expenditure of the funds of such authority for any of its corporate purposes; to authorize the sale and issuance of securities by such authority for any of its purposes; to authorize such authority to provide the details of such securities and the pledge of revenues of the authority and the execution of mortgages or deeds of trust as security thereof; to provide that such securities shall constitute negotiable instruments; to provide that the properties and income of such authority, the securities issued by it and the interest payable thereon, and all mortgages and other instruments executed as security therefor shall be exempt from taxation; to authorize investment of fiduciary funds in securities by such authority; to require the making of annual reports and the submission of an annual budget to the governing body of such county; to provide the time and method of dissolution of such authority; to provide that the formation and dissolution of one or more such authorities shall not prevent the subsequent formation of another authority in the same county; and to authorize such county and any municipality therein to transfer to such authority projects and funds acquired or allocated for any of the purposes for which such authority shall have been organized.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 994. To establish a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief or retirement and relief system heretofore established or hereafter established under Act Number 929 of Legislature of Alabama

of 1951, Approved September 12, 1951 (Acts of Alabama 1951, page 1579 et seq. as amended) and on whose account, or for whose benefit, the city by whom they are employed makes no contribution, or pays no tax, to the United State of America under the Federal Social Security Act; to provide certain disability benefits for such firemen and policemen and also certain benefits for the widows and children of any such firemen or policemen who die; to make provision for a supplemental retirement benefit for such firemen and policemen, if and when said Act No. 929 is amended as stipulated in this act; to provide that from the funds of the system established by this act certain payments shall be made to the fund of the system established by said Act No. 929, subject to said Act No. 929 being amended so as to authorize the Board of Managers of the system created by said Act Number 929 to receive said payments; to establish a Board of Managers for the pension system hereby created and to provide for the method of selection of the said board and to define the power, authority and duties of the said Board of Managers; to provide for the actuarial study, investigation and report showing the probable ability or inability of the fund hereby created to meet the benefits provided for by the system created by this Act; to provide for paying from funds of the system expenses incurred in securing any such actuarial study, investigation and report; to provide that at least sixty days prior to the convening of the Regular Session of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall give such opinion separately and severally with respect to each of the said benefits, and which said report or survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the fund, and if so, what change or changes he considers necessary; and to provide that the Board of Managers shall present to the members of the House of Representatives and the Senator designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate admendment to the following House Bill:

H. 992. To alter and extend the boundaries of the City of Birmingham to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 989. To alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 983. To amend Section 1 of Act Number 65 H. 138 approved April 5, 1956, (Acts of Alabama Special Session 1956, page 357 entitled, "To provide that the Recorder's Court of any city having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census trying any person for violation of an ordinance of such city making it unlawful to engage in or conduct a lottery, to possess lottery paraphernalia, to possess gaming paraphernalia, to engage in bookmaking, to accept bets on horse racing or other sporting events, to conduct a house of prostitution, to possess, sell, give away or display obscene pictures, prints, drawings or literature, or to molest children shall upon the conviction of such person, have the power and authority to impose a fine not exceeding three hundred dollars upon such person and to sentence him to hard labor upon the streets or public works, or in the workhouse or house of corrections of such city for not exceeding six months; to provide that this Act shall be cumulative and the power and authority hereby granted to any such Recorder's Court shall be in addition to any power and authority which such court may have under any other law either general or local.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 968. Relating to the purging of voter registration lists in Covington County; providing for periodic reidentification of registered voters in Covington County and for the removal of the names of those now required by law to be stricken from the lists of registered voters in Covington County; providing for supplies to carry out reidentification and to maintain current voter files in the county; providing for the administration and enforcement of the act; and prescribing penalties.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 882. To amend Section Six (6) of an Act approved March 28, 1955, and found in Acts of Alabama, 1955, Volume 1, pages 122-123, relating to the appointment of an Assistant Treasurer of Mobile County; and providing for the qualifications, term, duties, bond, compensation, and manner and method of paying same, and fixing time at which said Act shall go into effect.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 763. To make additional appropriations to The Board of Trustees of the University of Alabama, for mental health purposes, including payment of salaries of professional and related personnel in the Department of Psychiatry of the Medical College of Alabama, operation of the out-patient Mental Health Clinic of said college payment of stipends and scholarships to trainees in the field of psychiatry, and hospitalization of medically indigent mental patients in University Hospital and Hillman Clinics, and to make additional appropriations to the State Department of Public Health for mental health purposes, including establishment and operation of mental hygiene clinics and training and research in the field of mental health.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 735. Relating to counties having a population of not less than 50,000 nor more than 60,000 inhabitants, according to the last or any subsequent federal decennial census who elect to come under the provisions of this Act as hereinafter provided; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees,

charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary of the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING

The Bill:

H. 659. To exempt from state, county and municipal taxes, licenses, fees and charges, property owned by certain non-profit membership corporations of retired public school teachers and supervisory staff personnel.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Rutledge	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Hines	Shelton	
Berryman	Farmer	Jones	Turner	
Caffey	Gaither	Kendall	Webb	
Clark	Givhan	Moses	Wilson	
Cooper	Godfrey	Porter	Wyatt	
Crawford	Golson	Robison		—30

Nays: —0

The Bill:

H. 239. To amend Section 413 of Title 37 of the 1940 Code of Alabama, as amended.

Was read a third time at length and passed.

Yeas 27; Nay 1.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Farmer	Haltom	Rutledge	
Berryman	Gaither	Hines	Samford	
Caffey	Givhan	Jones	Shelton	
Clark	Godfrey	Kendall	Webb	
Cooper	Golson	Moses	Wilson	
Crawford	Graham	Porter	Wyatt	
				—27

Nay: Mr. Dumas. —1

The Bill:

H. 1014. To regulate further payment of compensation to deputy sheriffs by Lamar County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Roberts
Andrews	Eddins	Haltom	Samford
Archer	Farmer	Jones	Turner
Berryman	Givhan	Kendall	Webb
Caffey	Godfrey	Leonard	Wilson
Cooper	Golson	Moses	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1074. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Millport, Lamar County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts
Andrews	Eddins	Haltom	Shelton
Archer	Gaither	Hines	Turner
Barnett	Givhan	Kendall	Wilson
Clark	Godfrey	Leonard	Word
Crawford	Graham	Moses	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 521. To designate certain space on the second floor of the Capitol for the use of the Legislature and the Committees, members, officers and employees thereof.

Was read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Berryman	Cooper	Dumas
Andrews	Caffey	Crawford	Eddins
Barnett	Clark	deGraffenried	Farmer

Gaither	Hines	Roberts	Turner	
Givhan	Jones	Robison	Webb	
Godfrey	Kendall	Rutledge	Wilson	
Golson	Leonard	Samford	Word	
Graham	Moses	Shelton	Wyatt	
Green	Porter			—33

Nays: —0

The Bill:

H. 335. To make further provision regarding the taxation affecting motor fuel, as defined in this Act, sold to, or withdrawn from storage or used in this State by motor carriers, as defined in this Act, including the imposition of an excise tax measured by the quantity of motor fuel used by such motor carriers in their operations in this State; the definition of the terms motor vehicle, motor carrier, operations, motor fuel, Commissioner, gasoline tax and Diesel fuel tax, as used in this Act; the fixing of the amount of such tax and provision for the collection thereof; provision for credit upon such tax for payment of the gasoline tax and the Diesel fuel tax and, in certain cases, provision for refunds of the gasoline tax and the Diesel fuel tax, if proper bond be given; provision for an audit of the records of applicants for refunds; provision for penalties for the violation of this Act; provision for the costs of administration of this Act; provision for the disposition of the proceeds of the tax imposed by this Act; provision for the making of reports by all motor carriers subject to this Act and for joint reports by certain of such motor carriers; provision for sales of motor fuel, as defined in this Act, to motor carriers duly reporting pursuant to this Act by a distributor or storer without liability for the gasoline tax or the Diesel fuel tax if such motor carrier has given bond in such amount as may be required by the Commissioner to secure the payment of the tax imposed by this Act; authorizing the Commissioner of the State Department of Revenue to promulgate rules and regulations with respect to the enforcement of the provisions of this Act; provision for reciprocal agreements with other states; provision for the modification and repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; the fixing of the effective date of this Act; and generally, provision for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 335

Amend Section 7 of said bill as follows:

In Section 7, line 9, strike out the words "shall be provided to" and insert in lieu thereof "which amounts are hereby appropriated for".

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Caffey	deGraffenried	Gaither
Andrews	Clark	Dumas	Godfrey
Barnett	Cooper	Eddins	Golson
Berryman	Crawford	Farmer	Graham

Green	Leonard	Rutledge	Webb	
Haltom	Moses	Samford	Wilson	
Hines	Porter	Shelton	Word	
Jones	Robison	Turner	Wyatt	
Kendall				—32

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Rutledge	
Andrews	Dumas	Hines	Samford	
Barnett	Eddins	Jones	Turner	
Berryman	Farmer	Leonard	Webb	
Caffey	Godfrey	Moses	Wilson	
Clark	Golson	Porter	Word	
Cooper	Graham	Robison	Wyatt	
Crawford	Green			—29

Nays: —0

The Bill:

H. 1130. To amend Act No. 25 adopted at the 1959 First Special Session of the Legislature of Alabama entitled "An Act relating to Lawrence County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 25 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified, the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 25 and the exemptions and other provisions applicable to said

excise tax shall parallel, although at the rates herein specified, the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said State Use Tax; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax with respect to the sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Hines	Samford
Archer	Gaither	Kendall	Shelton
Berryman	Godfrey	Leonard	Turner
Clark	Golson	Porter	Webb
Cooper	Green	Robison	Word
Crawford			

—24

Nays: —0

The Bill:

H. 1134. To alter, rearrange and extend the boundaries of Dadeville, Tallapoosa County; repealing Section 2 of Act No. 286, H. B. 197, passed at the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p 328).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison
Barnett	Eddins	Haltom	Rutledge
Berryman	Farmer	Jones	Samford
Caffey	Givhan	Leonard	**Turner**
Cooper	Godfrey	Moses	Word
Crawford	Graham	Roberts	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 1012. To provide for the recording of conveyances in Barbour County, and to repeal Sections 2, 3, 4 and 5 of Act No. 270, approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts
Andrews	Farmer	Haltom	Rutledge
Archer	Gaither	Hines	Turner
Barnett	Godfrey	Jones	Webb
Berryman	Golson	Leonard	Word
Clark	Graham	Moses	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 36. Relating to frauds concerning checks, drafts, or orders for the payment of money; prohibiting the giving of worthless checks or drafts; prescribing penalties; repealing conflicting laws (Act No. 116, H. 63, approved June 20, 1951).

was taken up.

The Standing Committee on Judiciary reported the following amendment to the Bill, to-wit:

JUDICIARY COMMITTEE AMENDMENT TO H. B. 36

Amend Section 1 by striking out in line 3 the words "or to make payment of any pre-existing debt or other obligation of whatsoever form or nature, or for any other purpose, including"; insert between the words "attached" in line 3 and "payment" in line 5 the words "or for the"; strike out the words "for personal services," in line 6.

Amend Section 4 by striking from the end of said section the period and inserting in lieu thereof a comma and adding the following words "for which the court may place the defendant on probation".

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Moses	Wilson
Clark	Godfrey	Porter	Word
Cooper	Golson	Robison	Wyatt
Crawford	Graham		

—29

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Caffey	Dumas	Givhan
Andrews	Clark	Eddins	Godfrey
Barnett	Cooper	Farmer	Golson
Berryman	Crawford	Gaither	Graham

Green	Kendall	Rutledge	Wilson	
Haltom	Moses	Samford	Word	
Hines	Porter	Webb	Wyatt	
Jones	Robison			—29

Nay: Mr. Archer. —1

The Bill:

H. 38. Relating to civil remedies and procedures; providing for actions on worthless checks, drafts, or orders for the payment of money.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Rutledge	
Andrews	Eddins	Haltom	Samford	
Barnett	Farmer	Hines	Shelton	
Berryman	Gaither	Jones	Turner	
Caffey	Givhan	Kendall	Webb	
Clark	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Graham	Robison	Wyatt	
deGraffenried				—32

Nays: —0

The Bill:

H. 952. To provide for an additional judge of the Thirteenth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Porter	
Andrews	Eddins	Haltom	Robison	
Barnett	Farmer	Hines	Samford	
Berryman	Gaither	Jones	Shelton	
Caffey	Givhan	Kendall	Turner	
Clark	Godfrey	Leonard	Wilson	
Crawford	Golson	Moses	Word	
deGraffenried	Graham			—29

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 812. To levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11,

Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties.

Also:

H. 833. To authorize, direct, and require the state department of revenue to collect any sales and use taxes which may be levied in the municipality of Double Springs, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said municipality; to prescribe the power, duties, and authority of the state department of revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Also:

H. 837. To levy additional county privilege license and excise taxes for public school purposes in Hale County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 86, H. 388, approved June 21, 1957 (Acts 1957, vol. I, pp. 127-130).

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 226. To amend further Section 187 of Title 13, Code of Alabama 1940, in relation to the compensation of bailiffs of the circuit court in circuits composed of one county and having three or more circuit judges, but less than eight.

Also:

H. 365. Relating to crimes and offenses: To make it a misdemeanor to obtain or attempt to obtain telephone or telegraph service by use of false, fictitious, counterfeit, revoked or nonexistent credit card, credit number or other credit device or telephone number, or credit card, credit number or credit device or telephone number of another without authority, or through any fraudulent scheme, device, means or

method; to provide for punishment of such acts; to repeal all conflicting laws.

Also:

H. 473. Providing for the utilization of convicts by the Commissioner of Corrections or the Director of the State Highway Department to work upon, clean, and restore certain cemeteries or graveyards.

Also:

H. 627. Relating to the Fifth Judicial Circuit; Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Also:

H. 652. Relating to Mobile County: To provide that the laws governing the countywide Civil Service System of Mobile County shall apply to any person holding the position of Chief Clerk, unclassified, in the office of the Tax Assessor of Mobile County, provided that such person shall have held such position continuously for a period of not less than eighteen years; and to provide for the placing of such person upon the employment roster of the Civil Service System of Mobile County, without examination and without any decrease in the salary of such person.

Also:

H. 679. To require the state department of education to furnish free textbooks to pupils and teachers in classrooms or schools conducted under the supervision of the Alabama state hospitals.

Also:

H. 695. To amend further Section 465 of Title 51, Code of Alabama 1940, in relation to the privilege license tax imposed on automobile accessory dealers.

Also:

H. 700. To provide for the designation by the state highway department of the bridge on Alabama Highway No. 35 across Little River at the DeKalb County-Cherokee County line as the "G. E. Hill Bridge."

Also:

H. 701. To provide for the designation by the state highway department of certain highways in DeKalb County as "Desota Parkway."

Also:

H. 758. To provide for the manner of payment, disposition and use of purchase money paid or payable for sale of any lands belonging to the State of Alabama for the use of the Insane of the State situated in Mount Vernon Barracks Military Reservation, in Mobile County, Alabama.

Also:

H. 764. To make additional appropriations to the state institutions for the mentally ill and the mentally deficient for the two fiscal years ending September 30, 1960, and September 30, 1961, such appropriations to be paid from the Alabama Special Mental Health Fund.

Also:

H. 777. To provide further for enforcement of highway traffic control laws and rules of the road by deputy sheriffs in counties having a population of not less than 18,700 nor more than 19,000, according to the most recent federal decennial census.

Also:

H. 799. To provide an allowance to each official court reporter of the circuit courts in the Fifth Judicial Circuit payable by the counties composing said circuit to reimburse him for expenses incurred in the performance of his official duties.

Also:

H. 836. Relating to counties having a population of less than 11,800, according to the last or any subsequent federal decennial census; to authorize the court of county commissioners, board of revenue or other like governing body to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the public highway and traffic control fund.

Also:

H. 841. To alter, rearrange and extend the boundaries of the Town of Kinston in Coffee County.

Also:

H. 842. To amend further Act No. 147, H. 472, approved July 17, 1947, entitled "An act to provide for the appointment of a deputy clerk of the Circuit Clerk of Lawrence County and to prescribe the duties and fix the compensation of such deputy" (Local Acts, 1947, p. 86).

Also:

H. 870. To amend an act approved September 1, 1939, authorizing the governing body of Cherokee County to levy and collect a gasoline tax (Act No. 314, H. 700, Local Acts 1939, p. 200) so as to exclude diesel fuel as a taxable fuel under the act.

Also:

H. 871. To amend Act No. 194 which was duly passed at the Regular Session, 1957, Legislature of Alabama, Vol. I, Acts of Alabama, Regular Session 1957, pp. 245-254, and which said Act did create and establish in Dallas County a Court known as the Dallas County Court.

Also:

H. 877. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

Also:

H. 881. To require the Director of the State Department of Public Safety to notify the Commissioner of Licenses of Mobile County upon the suspension or revocation of the permanent driver license of any resident of Mobile County.

Also:

H. 883. To amend Section 41, Title 62 of the Code of Alabama, 1940, as amended by Act 412 of the Regular Session 1947, of the Legislature of Alabama, approved September 19, 1947.

Also:

H. 886. To abolish the jury board of Covington County and to create in lieu thereof a commission composed of nine members appointed by the Governor; to provide a clerk for the jury commission and to prescribe his duties and compensation; and to prescribe the functions, authority, duties, and compensation of the jury commissioners appointed hereunder.

Also:

H. 889. To amend Section 2 of an act approved August 31, 1953, providing a special fund for the payment of certain expenses incurred by the solicitor or judge of the Twenty-second Judicial Circuit (Act No. 460, H. 856, Acts of Alabama 1953, Vol. 1, p. 564).

Also:

H. 891. To authorize any municipality in Talladega County, Alabama, and Talladega County, to make appropriations of moneys and transfers of property to or for the benefit of any public hospital corporation now or hereafter organized in Talladega County, Alabama, under Act No. 211, adopted at the 1945 Regular Session of the Legislature of Alabama, Act No. 46 adopted at the 1949 Regular Session of said Legislature, or Act No. 63 adopted at the 1957 Regular Session of said Legislature; to authorize agreements between Talladega County or any municipality located in Talladega County and any such public hospital corporation located in Talladega County whereunder such corporation will agree to make available hospital space to inhabitants of such agreeing municipality or Talladega County, and whereunder such agreeing municipality or Talladega County will agree to make monthly or annual payments to such corporation; and to provide that any appropriations made hereunder and any payments provided for in any such agreements shall be deemed revenues of the public hospital corporation receiving them, within the meaning of said Act No. 211 and said Act No. 46 and any other applicable statute, and may be pledged as security for obligations of the public hospital corporation pursuant to the provisions of said statutes.

Also:

H. 904. Relating to Crenshaw County; providing for the reidentification of all registered voters; directing the board of registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

H. 905. To provide for the payment of certain expenses of the county or deputy solicitors of all counties having a population of not less than 18,700 nor more than 19,000, according to the most recent federal decennial census.

Also:

H. 909. Proposing an amendment to the Constitution of Alabama relating to the levying of special property taxes in Coosa County for school purposes.

Also:

H. 917. To amend Section 1 of the Act of the Legislature approved on the 9th day of August, 1949, General and Local Acts, 1949, Page 536, entitled: "To provide funds for the maintenance and expansion of the public libraries in Mobile County and to provide for the extension of the services of the Mobile Public Library to include the rural and municipal areas of the County not now being served by the Mobile Public Library."

Also:

H. 919. Directing the Secretary of State to transmit to the Commissioner of Licenses of Mobile County copies of all acts of the Alabama Legislature when printed in slip or pamphlet form, the bound volumes of such acts when printed for distribution in bound form, and the cumulative pocket supplements to the Code of Alabama (1940).

Also:

H. 923. To provide for the creation of the Tri-County Regional Planning Commission with jurisdiction in Morgan, Lawrence and Limestone Counties, to provide for its composition, organization, rules, procedure, appropriations, membership, terms of office, powers and duties, and for the adoption of a regional plan by such commission.

Also:

H. 924. To provide for payment by the county of expenses incurred in the operations of the office of county superintendent of education, county commissioner of education, commissioner of public instruction, commissioner of public schools, or other like officer of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Also:

H. 932. To establish the Winston County Court of Law and Equity in lieu of the court established by Act No. 242, H. 101, approved August 16, 1955 (Acts of Alabama, Regular Session 1955, vol. I, pp. 553-559); to define the jurisdiction and powers of said court, provide for its officers, their appointment, election, term of office, powers, duties, and compensation, and to provide that the court shall be open at all times for the transaction of business, and to authorize the judge to fix the time of holding sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice, and procedure, and to give such rules the force and effect of law; to abolish the court established by said Act No. 242 of August 16, 1955, and provide for the transfer of all cases pending therein to the court hereby established.

Also:

H. 933. To amend Sections 1 and 2 of Act No. 291, H. 621, approved August 16, 1957, the act requiring the state department of revenue to collect any sales and use taxes levied in the city of Haleyville, Winston County, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of that city (Acts of Alabama, Regular Session 1957, vol. I, p. 369).

Also:

H. 935. To provide for the compensation of the deputies or clerks of the tax assessors and tax collectors of all counties having a population of not less than 47,000 nor more than 51,000, according to the most recent federal decennial census.

Also:

H. 936. To authorize the court of county commissioners, board of revenue or other like governing body of Barbour County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Barbour County public highway and traffic fund.

Also:

H. 938. To alter, rearrange and extend the boundaries and corporate limits of the Town of West Blocton, Bibb County, Alabama, so as to annex certain territory to the Town.

Also:

H. 940. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Clanton, in Chilton County, Alabama.

Also:

H. 946. For the relief of C. D. Chiles; providing that the Board of Managers of the City of Birmingham Retirement and Relief System, established by Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq.) shall have four months from the effective date of this Act in which to take action on C. D. Chiles' pending application for extraordinary disability allowance.

Also:

H. 947. To alter, rearrange, and extend the corporate limits of the City of Birmingham, Jefferson County, so as to include within the corporate limits of said City of Birmingham certain additional territory.

Also:

H. 956. To extend the boundary lines of the Town of Trinity, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 963. To amend Section 4 of the act approved August 16, 1955 establishing the law and equity court of Winston County (Act No. 242, H. 101, Acts of Alabama 1955, Vol. I, pp. 553, 555) so as to provide for the collection of trial fees in such court.

Also:

H. 937. To amend Act No. 17 adopted at the 1957 Regular Session of the Legislature of Alabama entitled "An Act relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making ap-

plicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 17 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified, the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 17 and the exemptions and other provisions applicable to said excise tax shall parallel, although at the rates herein specified, the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax with respect to the sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

Also:

H. 964. To amend Section 2 of the act approved July 23, 1931 providing for a board of education for Winston County (Act No. 539, S. 253, Local Acts of Alabama 1931, pp. 257, 258) so as to provide further for the compensation of the members of said board.

Also:

H. 965. Relating to Butler County; authorizing the governing body of the county to furnish fuel and necessary equipment for the preparation and storing of food for prisoners held in The Butler County Jail by the Sheriff.

Also:

H. 966. For the relief of The United Telephone & Telegraph Co., and to authorize and direct The Court of County Commissioners of Butler County, Alabama, to pay to the said United Telephone & Telegraph Co., the sum of FOUR HUNDRED FORTY DOLLARS AND THIRTY-EIGHT CENTS ($440.38) for damages to telephone lines owned by the said United Telephone & Telegraph Co.

Also:

H. 971. To prohibit the taking of fish from the public waters of all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, with

hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws.

Also:

H. 972. To further amend Section Two of Act No. 538, Local Acts of the Legislature, 1939, approved September 16, 1939, which said Section Two was amended by Act No. 651 of the Legislature of 1947, approved October 9, 1947, which said Act No. 538 established in Geneva County, Alabama, a Court of Record to be known as the "Inferior Court of Geneva County"; and to provide that said Court have limited equity jurisdiction and to provide for a Register of said Court and a stenographer for the Judge of said Court and fix her salary.

Also:

H. 974. To amend Sections 1, 2, 3, 4, 7, 8, 10 and 12 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama, approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433) relative to privilege or license taxes and excise taxes in Lauderdale County and in the City of Florence, Lauderdale County.

Also:

H. 982. To amend Section 799, Title 37, of the 1940 Code of Alabama, as heretofore amended.

Also:

H. 985. To alter, rearrange and extend the boundaries and corporate limits of the town of Butler, Choctaw County, so as to incorporate within the town certain additional territory.

Also:

H. 986. To provide additional compensation or salary for the Official Court Reporter of the 22nd Judicial Circuit and providing for the payment thereof.

Also:

H. 987. To alter, rearrange and extend the boundaries of the City of Montgomery, Alabama, so as to include within the corporate limits thereof certain additional territory in Sections 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 988. To abolish the fine and forfeiture fund of Shelby County; to provide for the payment of all fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

Also:

H. 995. To provide for designating the 109th Evacuation Hospital building in Jefferson County, "Fort Mortimer H. Jordan."

Also:

H. 1033. Relating to the management of the public records of Madison County; providing for the photographing or microphotographing of such public records and for the admissibility in evidence of

photographed or microphotographed copies of records required to be kept by public officers of Madison County, and for payment of the costs incurred in the purchase of photographic or microphotographic equipment; creating a county records commission to regulate the destruction or disposal of such public records; and providing for establishment of a county records custodian and reproduction department.

Also:

H. 1037. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory in Section 28, T16N, R18E, Montgomery County, Alabama, and Section 21, T16N, R18E, Montgomery County, Alabama.

Also:

H. 1038. To authorize the governing body of any municipality in the State of Alabama having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census, to create a museum board; to provide for the appointment of members of such board and for their terms of office; to authorize the board to adopt rules and regulations governing procedures of the board and the use of facilities under its jurisdiction and control; to provide for the appointment of a director and employees for such board; to provide that such employees shall be employees of the municipality and subject to any civil service or merit system law in effect in such municipality; to define the powers and duties of the board; and to authorize the municipality to acquire and provide property, and funds, for the use of said board for museum purposes.

Also:

H. 1039. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 1041. To change the method of compensating certain officers of St. Clair County: Fixing the salaries of such officers, and providing for the clerical assistance, office space, equipment, and supplies necessary for the conduct of their offices.

Also:

H. 1042. Proposing an amendment to the Constitution of Alabama relative to the costs and charges of courts in St. Clair County and the compensation of certain officers of St. Clair County.

Also:

H. 1067. Relating to counties having a population of not less than 75,000 nor more than 93,000 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers.

Also:

H. 1069. To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Also:

H. 1071. To amend Act No. 737, S. 548, approved September 20, 1957, an act providing for the operation of the county board of equalization of each county having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census (Acts of Alabama 1957, Vol. II, pp. 1158, 1159).

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1075. To amend Sections 1, 2, 4, and 6 of Act No. 68 adopted at the 1957 Regular Session of the Legislature of Alabama so that the scope of the license taxes levied in Limestone County by said Act No. 68 and the exemptions and other provisions applicable to said license taxes shall parallel, although at the rates herein specified, the scope of the state sales and use taxes levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and by Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said state sales and use taxes; so as to make subject to said license taxes, at the rates herein specified, the sale, use, storage and consumption of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding and manufacturing tangible personal property; and so as to increase the rate of said license taxes with respect to sale, use, storage or consumption of automotive vehicles, truck trailers and semi-trailers.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:			
Archer	deGraffenried	Graham	Robison
Barnett	Eddins	Haltom	Samford
Caffey	Farmer	Jones	Shelton
Clark	Givhan	Kendall	Webb
Cooper	Godfrey	Moses	Wilson
Crawford	Golson	Porter	Wyatt

—24

Nays: —0

The Bill:

H. 1065. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison	
Andrews	Farmer	Jones	Rutledge	
Archer	Givhan	Leonard	Shelton	
Berryman	Godfrey	Moses	Webb	
Caffey	Graham	Porter	Word	
Clark	Green	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1077. To provide for the establishment and operation of a public clinic in the municipality of Uniontown, Perry County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Jones	Samford	
Archer	Gaither	Kendall	Turner	
Berryman	Golson	Moses	Webb	
Caffey	Graham	Porter	Word	
Clark	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1011. To amend Section 2 as amended of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of office of the sheriff appointing such deputy, approved May 28, 1931, reported, Local Acts Alabama 1931, pages 83-84.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Rutledge
Andrews	Eddins	Jones	Samford
Archer	Gaither	Kendall	Shelton
Berryman	Givhan	Moses	Webb
Caffey	Golson	Porter	Word
Clark	Graham	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1112. Relating to Baldwin County: Authorizing the County Commissioners of Baldwin County, Alabama, to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid. To prescribe their method of appointment and fix their duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Robison
Andrews	Dumas	Jones	Rutledge
Barnett	Eddins	Kendall	Shelton
Berryman	Farmer	Leonard	Webb
Caffey	Gaither	Porter	Word
Clark	Godfrey	Roberts	Wyatt
Cooper			

—24

Nays: —0

The Bill:

H. 1082. To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County.

was taken up.

Mr. Webb offered the following substitute for the Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County, Alabama.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The boundaries of the Town of Gulf Shores in Baldwin County are hereby altered, re-arranged and extended so as to include within the corporate limits of said municipality the following described lands lying and being in said Baldwin County, to-wit:

Beginning at the Southwest corner of Section 16, Township 9 South, Range 4 East, Baldwin County, Alabama, run thence North along and with the Section line to the point of intersection of the West line of said Section 16 with the South right-of-way line of Alabama Highway No. 59; thence continue North along and with the East right-

of-way line of said Alabama Highway No. 59 to the North line of said Section 16; run thence East to the Southeast corner of the West Half (W½) of the Southwest Quarter (SW¼) of Section 9, Township 9 South, Range 4 East; run thence North to the Northeast corner of said West Half (W½) of the Southwest Quarter (SW¼) of Section 9, Township 9 South, Range 4 East; run thence West to the West right-of-way line of Alabama Highway No. 59; run thence South along the West line of said Alabama Highway No. 59 to the center line of Dixie Graves Parkway; run thence Westward along and with the center line of Dixie Graves Parkway to a point North of the dividing line between Lots 16 and 17 in Division No. One of Gulf Woods; run thence South between Lots 16 and 17 in Division No. One of Gulf Woods to a point on the North line of Section 19, Township 9 South, Range 4 East, said point being 1570 feet West of the Northeast corner of said Section 19, Township 9 South, Range 4 East; run thence West along the Section line to the Northwest corner of Section 19, Township 9 South, Range 4 East; run thence South along the West line of said Section 19 to the center line of West Gulf Shores Boulevard; run thence Eastward along and with the center line of West Gulf Shores Boulevard to the West right-of-way line of West Second Street (according to the plat of Unit One of Gulf Shores, Alabama); run thence Southeastward along and with the West right-of-way line of said West Second Street to the margin of the Gulf of Mexico; run thence Northeastward along the margin of the said Gulf of Mexico to the East line of Lot 1, Block 2, Unit Five of Gulf Shores; run thence North along the East line of Lot 1, Block 2, Unit Five of Gulf Shores to the center line of East Gulf Shores Boulevard; run thence Eastward along the center line of the said East Gulf Shores Boulevard to the Alabama State Park line; run thence North along the Alabama State Park line to the North line of Section 21, Township 9 South, Range 4 East; run thence West along the Section line 0.625 mile to the point of beginning.

SECTION 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Gulf Shores, voting in a referendum election to be held on a day designated by the Probate Judge of Baldwin County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the Probate Judge of Baldwin County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the Probate Judge, nor need a plat or map of the territory to be annexed be filed with the Probate Judge. The question shall be on the adoption of Act No. _____, H._____ of the 1959 Regular Session of the Legislature, which alters, re-arranges and extends the corporate limits of the Town of Gulf Shores in Baldwin County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "YES". If he desires to vote against the adoption of such Act the word "NO" shall be written or printed on his ballot. The Town of Gulf Shores shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "YES" the provisions of this Act shall become operative immediately. If the Majority are "NO" this Act shall have no further effect.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Hines	Rutledge	
Archer	Farmer	Jones	Shelton	
Caffey	Givhan	Leonard	Webb	
Clark	Godfrey	Moses	Word	
Cooper	Graham	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Hines	Rutledge	
Archer	Farmer	Jones	Shelton	
Caffey	Givhan	Leonard	Webb	
Clark	Godfrey	Moses	Word	
Cooper	Graham	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 839. To amend Sections 4 and 7 of Title 51, Code of Alabama 1940, which relate to applications for exemptions of factories, industries, and plants from ad valorem tax.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison	
Andrews	Dumas	Graham	Samford	
Barnett	Eddins	Kendall	Turner	
Berryman	Farmer	Leonard	Webb	
Caffey	Gaither	Moses	Wilson	
Clark	Godfrey	Porter	Wyatt	
Cooper				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 335. To make further provision regarding the taxation affecting motor fuel, as defined in this Act, sold to, or withdrawn from storage or used in this State by motor carriers, as defined in this Act, including the imposition of an excise tax measured by the quantity of

motor fuel used by such motor carriers in their operations in this State; the definition of the terms motor vehicle, motor carrier, operations, motor fuel, Commissioner, gasoline tax and Diesel fuel tax, as used in this Act; the fixing of the amount of such tax and provision for the collection thereof; provision for credit upon such tax for payment of the gasoline tax and the Diesel fuel tax and, in certain cases, provision for refunds of the gasoline tax and the Diesel fuel tax, if proper bond be given; provision for an audit of the records of applicants for refunds; provision for penalties for the violation of this Act; provision for the costs of administration of this Act; provision for the disposition of the proceeds of the tax imposed by this Act; provision for the making of reports by all motor carriers subject to this Act and for joint reports by certain of such motor carriers; provision for sales of motor fuel, as defined in this Act, to motor carriers duly reporting pursuant to this Act by a distributor or storer without liability for the gasoline tax or the Diesel fuel tax if such motor carrier has given bond in such amount as may be required by the Commissioner to secure the payment of the tax imposed by this Act; authorizing the Commissioner of the State Department of Revenue to promulgate rules and regulations with respect to the enforcement of the provisions of this Act; provision for reciprocal agreements with other states; provision for the modification and repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; the fixing of the effective date of this Act; and generally, provision for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 797. To revise Article I of Chapter I of Title 23 of the Code of Alabama of 1940 as amended, in relation to Highways, Roads, Bridges and Ferrys by amending Section 23 and Section 35.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Porter	
Andrews	Eddins	Green	Robison	
Archer	Farmer	Haltom	Rutledge	
Barnett	Gaither	Hines	Samford	
Berryman	Givhan	Jones	Turner	
Caffey	Godfrey	Leonard	Webb	
Cooper	Golson	Moses	Wilson	
deGraffenried				—28

Nays: —0

The Bill:

H. 752. To make additional appropriations to the State Department of Education for each of the fiscal years ending September 30, 1960, and September 30, 1961.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Rutledge	
Archer	Dumas	Haltom	Samford	
Barnett	Eddins	Hines	Turner	
Berryman	Farmer	Kendall	Webb	
Caffey	Gaither	Leonard	Wilson	
Clark	Givhan	Moses	Word	
Cooper	Godfrey	Porter	Wyatt	
Crawford	Golson	Robison		—30

Nays: —0

The Bill:

H. 372. To amend further the act approved July 7, 1945 (Act No. 412, S. 261, Gen. Acts 1945, p. 647) providing for the adoption, selection, purchase, and distribution of textbooks to be used in the tax-supported public schools of Alabama.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Hines	Turner	
Barnett	Farmer	Kendall	Webb	
Berryman	Gaither	Leonard	Wilson	
Caffey	Givhan	Moses	Word	
Clark	Godfrey	Porter	Wyatt	
Cooper				—28

Nays: —0

The Bill:

H. 931. Relating to schools; to provide for a Committee on Courses of Study; to prescribe the qualification and compensation of its members; to define its duties; and to repeal Sections 404, 405, 406, 407 of Title 52, Code of Alabama 1940 as amended.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Rutledge	
Andrews	Dumas	Hines	Samford	
Archer	Eddins	Kendall	Turner	
Barnett	Gaither	Leonard	Webb	
Berryman	Givhan	Moses	Wilson	
Caffey	Godfrey	Porter	Word	
Clark	Golson	Robison	Wyatt	
Cooper	Green			—29

Nays: —0

The Bill:

H. 662. For the relief of Robins Engineering, Inc: To make an appropriation of State Highway Department funds to compensate such

company for certain construction work done on Alabama Highway Project S-532-B Lauderdale County, Alabama.

Was read a third time at length and passed.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Samford	
Archer	Farmer	Hines	Turner	
Barnett	Gaither	Kendall	Webb	
Berryman	Givhan	Leonard	Wilson	
Caffey	Godfrey	Moses	Word	
Clark	Golson	Porter	Wyatt	
deGraffenried				—28

Nay: Mr. Cooper. —1

The Bill:

H. 445. To re-enact and amend Section 112 of Title 13, Code of Alabama 1940, relating to a division of the State into judicial circuits.

Was read a third time at length and passed.

Yeas 16; Nays 3.

Yeas:

Messrs.:	Eddins	Haltom	Robison	
Barnett	Farmer	Kendall	Samford	
Caffey	Givhan	Moses	Turner	
Cooper	Golson	Porter	Wilson	
deGraffenried				—16

Nays: Messrs. Andrews, Clark and Gaither. —3

The Bill:

H. 66. To authorize any county board of registrars which is not furnished clerical assistance to reserve certain meeting days for the performance of such necessary clerical work as may be required of the board in connection with the discharge of its duties.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Dumas	Haltom	Samford	
Archer	Eddins	Hines	Turner	
Berryman	Farmer	Jones	Webb	
Caffey	Godfrey	Leonard	Wilson	
Clark	Golson	Moses	Word	
Cooper	Graham	Porter	Wyatt	
Crawford				—28

Nays: —0

The Bill:

H. 67. To amend further Section 26 of Title 17, Code of Alabama (1940), which relates to meetings of county boards of registrars.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Robison
Andrews	deGraffenried	Green	Samford
Archer	Dumas	Haltom	Shelton
Barnett	Eddins	Hines	Turner
Berryman	Farmer	Jones	Webb
Caffey	Gaither	Kendall	Wilson
Clark	Godfrey	Moses	Word
Cooper	Golson	Porter	Wyatt

—31

Nays: —0

The Bill:

H. 981. To amend Section 87 of Title 22, Code of Alabama 1940, in relation to the enactment of regulations governing the removal or transportation of the bodies of deceased persons by cities and towns.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Rutledge
Andrews	Dumas	Haltom	Samford
Archer	Eddins	Hines	Shelton
Berryman	Farmer	Jones	Turner
Caffey	Gaither	Kendall	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Robison	Wyatt

—31

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 735. Relating to counties having a population of not less than 50,000 nor more than 60,000 inhabitants, according to the last or any subsequent federal decennial census who elect to come under the provisions of this Act as hereinafter provided; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and au-

thority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary of the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

Also:

H. 763. To make additional appropriations to The Board of Trustees of the University of Alabama, for mental health purposes, including payment of salaries of professional and related personnel in the Department of Psychiatry of the Medical College of Alabama, operation of the out-patient Mental Health Clinic of said college, payment of stipends and scholarships to trainees in the field of psychiatry, and hospitalization of medically indigent mental patients in University Hospital and Hillman Clinics, and to make additional appropriations to the State Department of Public Health for mental health purposes, including establishment and operation of mental hygiene clinics and training and research in the field of mental health.

Also:

H. 882. To amend Section Six (6) of an Act approved March 28, 1955, and found in Acts of Alabama, 1955, Volume 1, pages 122-123, relating to the appointment of an Assistant Treasurer of Mobile County; and providing for the qualifications, term, duties, bond, compensation, and manner and method of paying same, and fixing time at which said Act shall go into effect.

Also:

H. 968. Relating to the purging of voter registration lists in Covington County; providing for periodic reidentification of registered voters in Covington County and for the removal of the names of those now required by law to be stricken from the lists of registered voters in Covington County; providing for supplies to carry out reidentification and to maintain current voter files in the county; providing for the administration and enforcement of the act; and prescribing penalties.

Also:

H. 983. To amend Section 1 of Act Number 65 H. 138 approved April 5, 1956, (Acts of Alabama Special Session 1956, page 357 entitled, "To provide that the Recorder's Court of any city having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census trying any person for violation of an ordinance of such city making it unlawful to engage in or conduct a lottery, to possess lottery paraphernalia, to possess gaming paraphernalia, to engage in

bookmaking, to accept bets on horse racing or other sporting events, to conduct a house of prostitution, to possess, sell, give away or display obscene pictures, prints, drawings or literature, or to molest children shall upon the conviction of such person, have the power and authority to impose a fine not exceeding three hundred dollars upon such person and to sentence him to hard labor upon the streets or public works, or in the workhouse or house of corrections of such city for not exceeding six months; to provide that this Act shall be cumulative and the power and authority hereby granted to any such Recorder's Court shall be in addition to any power and authority which such court may have under any other law either general or local.

Also:

H. 989. To alter and extend the boundaries of the City of Birmingham, to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

Also:

H. 992. To alter and extend the boundaries of the City of Birmingham to provide for an election to submit to the qualified voters of said territory to be annexed to said City of Birmingham for their approval or rejection of such alteration and extensions.

Also:

H. 999. To amend further Act No. 259, H. 530, approved June 24, 1943, an act providing for appeals to the circuit court in certain counties having a population of 400,000 or more, according to the last or any subsequent federal decennial census, from decisions of the board of equalization (General Acts, Regular Session 1943, p. 230), which is known as "The Expeditious and Economical Tax Appeals Act."

Also:

H. 994. To establish a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief or retirement and relief system heretofore established or hereafter established under Act Number 929 of Legislature of Alabama of 1951, Approved September 12, 1951 (Acts of Alabama 1951, page 1579 et seq. as amended) and on whose account, or for whose benefit, the city by whom they are employed makes no contribution, or pays no tax, to the United States of America under the Federal Social Security Act; to provide certain disability benefits for such firemen and policemen and also certain benefits for the widows and children of any such firemen or policemen who die; to make provision for a supplemental retirement benefit for such firemen and policemen, if and when said Act No. 929 is amended as stipulated in this act; to provide that from the funds of the system established by this act certain payments shall be made to the fund of the system established by said Act No. 929, subject to said Act No. 929 being amended so as to authorize the Board of Managers of the system created by said Act Number 929 to receive said payments; to establish a Board of Managers for the pension system hereby created and to provide for the method of selection of the said board and to define the power, authority and duties of the said Board of Managers; to provide for the actuarial study, investigation and report showing the probable ability or inability of the fund hereby created to meet the benefits provided for by the system created by this Act; to provide for paying from funds of the system expenses incurred in securing any such actuarial study, investigation and report; to provide that at least sixty days prior to the convening of the Regular Session

of the Legislature of Alabama of 1961 the Board of Managers shall present to each member of the House of Representatives and of the Senate of the Legislature of Alabama residing in any county or Senatorial District wherein there is established any pension system provided for by this Act the report and survey of a competent actuary stating his opinion as to the ability of the funds and resources of the said system to meet the benefits provided, which said report or survey shall give such opinion separately and severally with respect to each of the said benefits, and which said report or survey shall contain the opinion of the said actuary as to whether he considers any change in the benefits necessary in order to assure solvency of the fund, and if so, what change or changes he considers necessary; and to provide that the Board of Managers shall present to the members of the House of Representatives and the Senator designated above a similar actuarial report or survey at least once every four years sixty days prior to the convening of a Regular Session of the Legislature of Alabama.

Also:

H. 996. To authorize the incorporation in any county in this state having a population of 500,000 or more, according to the last or any succeeding Federal Census, of a health care authority as a public corporation for hospital purposes, including, among others, the making of provisions for medical and hospital aid to the indigent sick of such county; to provide a method of effecting the incorporation of such authority and electing the members of its board of directors and its officers; to specify the powers of such board of directors and the powers of such authority; to provide for the payment to such authority by the county in which it is organized of all revenue received and held by such county from any tax levied by the state for the benefit of the county for health and medical care of indigent residents of the county, and to authorize such county to allocate and pay other funds to such authority; to provide for the expenditure of the funds of such authority for any of its corporate purposes; to authorize the sale and issuance of securities by such authority for any of its purposes; to authorize such authority to provide the details of such securities and the pledge of revenues of the authority and the execution of mortgages or deeds of trust as security thereof; to provide that such securities shall constitute negotiable instruments; to provide that the properties and income of such authority, the securities issued by it and the interest payable thereon, and all mortgages and other instruments executed as security therefor shall be exempt from taxation; to authorize investment of fiduciary funds in securities by such authority; to require the making of annual reports and the submission of an annual budget to the governing body of such county; to provide the time and method of dissolution of such authority; to provide that the formation and dissolution of one or more such authorities shall not prevent the subsequent formation of another authority in the same county; and to authorize such county and any municipality therein to transfer to such authority projects and funds acquired or allocated for any of the purposes for which such authority shall have been organized.

Also:

H. 1023. To further regulate the Probate Court and office of Judge of Probate in counties having a population of 500,000 or more according to the last or any subsequent federal census; to authorize and empower the judge of probate in any such county to delegate and assign duties, ministerial functions and authority to the chief clerk and other clerks and personnel of such probate court and its divisions and officers; to delegate and assign to, and invest in, the chief clerk of such probate court the title, duties and power of clerk of the probate court

of such county and to further prescribe the powers, duties and authority of such (chief clerk as) clerk and register of such probate court; to authorize the appointment of deputy clerks — registers in each office of such probate court from the personnel in such offices.

Also:

H. 1024. To levy a license tax in Jefferson County, Alabama, on persons and others engaged in selling alcoholic, spirituous, vinous, or fermented liquor at retail; to provide that the tax be measured by the kind and quantity of such beverages sold, distributed, delivered, stored or taken out of storage; to provide for the payment of such tax, the making of records and reports, and the maintaining of records with respect thereto; to provide for the collection and distribution of said tax, and the enforcement of the provisions of this act; to provide that the County Commission of Jefferson County, Alabama, shall have authority to adopt ordinances, rules and regulations pertaining to the collection of the tax, and the making of reports and maintaining of records with respect thereto, and providing that such ordinances, rules, and regulations shall have the force and effect of law; to provide that the tax imposed shall constitute a debt to the county and may be collected by civil suit in addition to all other methods provided by law; to provide penalties for the violation of the provisions of this act; to provide that the tax, together with interest and penalties with respect thereto, shall constitute, and be secured by, a lien upon the property of any person from whom the tax is due; to require any person or others engaged in selling alcoholic, spirituous, vinous, or fermented liquor to obtain a permit from the Department of Revenue of Jefferson County, and to file a bond in an approximate sum of two times the estimated average monthly tax; to provide that the revenue derived from the tax, less the cost of collection shall be used solely to care for indigent sick and injured persons, including the necessary facilities therefor, who are bona fide residents of the county; to provide that in the event that other taxes are levied for these purposes, then such tax shall be used for the construction and operation of an outpatient clinic; to repeal any act now in effect in Jefferson County, Alabama, which levies a license tax on the sale of alcoholic, spirituous, vinous or fermented liquors, the proceeds of which tax are used exclusively for indigent patient care.

Also:

H. 335. To make further provision regarding the taxation affecting motor fuel, as defined in this Act, sold to, or withdrawn from storage or used in this State by motor carriers, as defined in this Act, including the imposition of an excise tax measured by the quantity of motor fuel used by such motor carriers in their operations in this State; the definition of the terms motor vehicle, motor carrier, operations, motor fuel, Commissioner, gasoline tax and Diesel fuel tax, as used in this Act; the fixing of the amount of such tax and provision for the collection thereof; provision for credit upon such tax for payment of the gasoline tax and the Diesel fuel tax and, in certain cases, provision for refunds of the gasoline tax and the Diesel fuel tax, if proper bond be given; provision for an audit of the records of applicants for refunds; provision for penalties for the violation of this Act; provision for the costs of administration of this Act; provision for the disposition of the proceeds of the tax imposed by this Act; provision for the making of reports by all motor carriers subject to this Act and for joint reports by certain of such motor carriers; provision for sales of motor fuel, as defined in this Act, to motor carriers duly reporting pursuant to this Act by a distributor or storer without liability for the gasoline tax or the Diesel fuel tax if such motor carrier has given bond in such amount as may be required by the Commissioner to secure the payment

of the tax imposed by this Act; authorizing the Commissioner of the State Department of Revenue to promulgate rules and regulations with respect to the enforcement of the provisions of this Act; provision for reciprocal agreements with other states; provision for the modification and repeal of laws or portions thereof to the extent of any conflict with the provisions of this Act; the fixing of the effective date of this Act; and generally, provision for the enforcement of the provisions of this Act and rules and regulations adopted pursuant thereto.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 425. To alter or rearrange the boundary lines of the city of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

Also:

S. 460. To extend, alter and rearrange the boundary lines and corporate limits of the city of Irondale in Jefferson County, Alabama, so as to include within the corporate limits of said city of Irondale all territory now within such corporate limits and also certain other territory contiguous thereto.

Also:

S. 459. To apply in all counties of the State having a population of not less than 500,000 according to the last or any subsequent Federal decennial census; to authorize the county commission of any county to which this act applies to call an election for the approval or disapproval of central daylight savings time; providing for the ordering and holding of such election.

Also:

S. 461. To prohibit any person who has attained the age of 70 years from holding any position in the classified service in any county to which Act No. 248, General Laws of Alabama, approved July 6, 1945 (1945 Acts, pp. 376-400), entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for

the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof," applies and to provide that this Act shall become effective January 1, 1962.

Also:

S. 427. To propose an Amendment to the Constitution of Alabama to provide that the making and collection of mortgage loans in Alabama by non-residents solely through the Agency of loan brokers duly licensed as Mortgage Loan Brokers under the laws of Alabama, and maintaining a place of business in the State of Alabama, shall not constitute doing business in Alabama by such non-resident lender, but subjecting such non-resident lender to process in Alabama for the purpose of determining any question concerning such loans.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate Bill and returns same herewith to the Senate.

S. 335. To revise and amend Chapter 4 of Title 46 of the Code of Alabama (1940), relating to the licensing of general contractors.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 335, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO S. B. 335

Amend Sub Sec 78 of Senate Bill 335 by deleting therefrom the words:

"and an individual firm or corporation constructing building facilities or other improvements with its own employees, for its own uses purposes, and not to be occupied by other than its own employees."

and substitute in lieu thereof the following:

"and a person, firm or corporation constructing a building or other improvements on his or its own property".

Yeas 26; Nays 0.

Yeas:

Messrs.:	deGraffenried	Golson	Samford	
Andrews	Dumas	Haltom	Turner	
Archer	Eddins	Hines	Webb	
Berryman	Farmer	Jones	Wilson	
Caffey	Gaither	Porter	Word	
Cooper	Givhan	Robison	Wyatt	
Crawford	Godfrey	Rutledge		—26

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate.

S. 433. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. deGraffenried, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 433, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO SENATE BILL 433

Amend Section 1 of Senate Bill 433 by adding on Page 10 of said Bill, after the description of Parcel B, the following words and figures:

"Less and except the territory included within the boundaries of Circlewood Subdivision Section A and Circlewood Subdivision Section B, as the same appear of record in the Office of the Probate Judge of Tuscaloosa County, Alabama, in Plat Book 5 at Pages 124 and 125."

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge	
Andrews	Farmer	Kendall	Shelton	
Barnett	Gaither	Leonard	Turner	
Berryman	Golson	Porter	Wilson	
Clark	Graham	Roberts	Word	
Cooper	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith (St. Clair):

H. J. R. 108. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill, H. B. 1042, which has passed both Houses be designated and known as "The Smith (St. Clair)—Wyatt Bill."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Wyatt, the Rules were suspended and the Resolution, H. J. R. 108, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1091. To provide that Justices of the Peace, in all counties having a population of not less than 38,750 and not more than 39,250 according to the last or any subsequent Federal decennial census, shall not have any jurisdiction over any criminal offense, unless, there is no other Court or Courts existing in any such County which can lawfully exercise jurisdiction over such offense; to abolish the criminal jurisdiction of Justices of the Peace in such Counties and to confer the same upon other Court or Courts existing in such Counties which can lawfully exercise such jurisdiction.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Rutledge
Archer	Farmer	Jones	Samford
Barnett	Givhan	Kendall	Turner
Caffey	Godfrey	Moses	Webb
Clark	Graham	Porter	Word
Crawford			—24

Nays: —0

The Bill:

H. 1070. To provide for the compensation of special bailiffs in the circuit courts of all counties having a population of not less than 80,000 nor more than 94,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Samford
Archer	Gaither	Kendall	Shelton
Barnett	Godfrey	Leonard	Webb
Caffey	Golson	Moses	Wilson
Clark	Graham	Porter	Word
deGraffenried	Haltom	Robison	Wyatt
Dumas			—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 36. Relating to frauds concerning checks, drafts, or orders for the payment of money; prohibiting the giving of worthless checks or drafts; prescribing penalties; repealing conflicting laws (Act No. 116, H. 63, approved June 20, 1951).

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ashworth:

H. J. R. 100. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the members of the Legislature do hereby express their thanks and appreciation to Mr. Charles Cooper, Director of the Legislative Reference Service and all members of his staff for the excellent service and assistance they have rendered to the members of the Legislature in preparing and drafting bills, resolutions and other legislative documents.

Mr. Cooper and his staff have always been ready and able to advise with members of the Legislature and thereafter carry out our wishes in a prompt and efficient manner.

BE IT FURTHER RESOLVED That the Clerk of the House be directed to transmit a copy of this Resolution to Mr. Charles Cooper.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Archer, the Rules were suspended and the Resolution, H. J. R. 100, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration.

By Mr. Ashworth:

H. J. R. 103. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Secretary of the Senate, the Clerk of the House, the Secretary of State and the doorkeepers of the House and Senate be and they are hereby relieved of any responsibility for the Codes, Supplements, Acts, Journals and any other books furnished to the members of the Legislature, and

BE IT FURTHER RESOLVED that the Clerk of the House and the Secretary of the Senate be and they are hereby relieved of any responsibility for the legislative payrolls of all sessions of this year and said payrolls as heretofore submitted and paid are hereby approved.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Archer, the Rules were suspended and the Resolution, H. J. R. 103, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 41. Allowing the Secretary of the Senate and the Clerk of the House additional clerks during the six weeks in addition to that provided in the Code.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 40 . Naming Senate Bill 53.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ashworth:

H. J. R. 102. WHEREAS the printing of Bills, Resolutions, Roll Calls, Daily Calendars, Pamphlet Acts and other forms have been a necessary and vital part of the efficient functioning of this Legislature, and

WHEREAS the Brown Printing Company through their Executive Vice President, Herbert R. Nation have cooperated with the Legislature far beyond the terms of their contract to the end that at no time has the business of the Legislature been delayed, said printer having been of constant service to this Legislature, therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING that the Brown Printing Company and

Mr. Nation are hereby thanked and commended for their efficiency and promptness during this session of the Legislature.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Archer, the Rules were suspended and the Resolution, H. J. R. 102, set out in the foregoing Message from the House was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ashworth:

H. J. R. 104. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature acknowledges with grateful appreciation the numerous and faithful services rendered by Miss Mittie Miller and Charles Miller, who are now and have been for many years loyally and faithfully serving the Legislature and all of its members.

BE IT FURTHER RESOLVED that "Mittie" and Charles are hereby commended and heartily thanked not only for the diligence with which they always perform their duties, but their readiness at all times to go beyond the call of duty to accomodate or render a favor to the members of the Legislature.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Archer, the Rules were suspended and the Resolution, H. J. R. 104, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Meade:

H. J. R. 106. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the Bill, H. B. 345, which has passed both Houses be designated and known as "The Meade, Guthrie, Harris, Ray, Oden, Harvey, Jenkins, Albea, Casey, Solomon, Godfrey and Clark Bill."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Archer, the Rules were suspended and the Resolution, H. J. R. 106, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Goodwyn:

H. J. R. 107. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislative Council be directed to make a comprehensive survey of all statutes, practices, and policies of the state government relative to the compensation of, or the method of compensating state officers and employees; also, to make comparative studies of other state government pay plans and policies and the pay plans and policies of private industry and private enterprises, toward the end of developing a systematic, feasible, harmonious, and equitable method of compensating state officers and employees on the basis of responsibility, merit, and related factors. The Council shall enlist the aid and assistance of all state departments, agencies, and institutions in the performance of their duties hereunder, especially the State Personnel Department and the director thereof, and shall hold such hearings and conduct such inquiries as may be necessary to obtain the views, advice, and suggestions of all persons and groups interested in the result of the Council's study. The Council shall submit its findings, conclusions, and recommendations to the Legislature not later than the fifth legislative day of the next regular session.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. deGraffenried, the Rules were suspended and the Resolution, H. J. R. 107, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the following House Bill:

H. 850. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

And requests a Committee on Conference. And the Speaker of the House has named as a Committee on the part of the House Messrs. Brewer, Gilchrist and Morrow.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Berryman, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 850, the title of which is set out in the foregoing Message from the House.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Berryman, Archer and Godfrey.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 89. Relative to expressing sympathy and concern over the welfare and condition of Representative Joe McCorquodale, Jr., and his wife, Betty, who were involved in an automobile accident.

Also:

H. J. R. 91. Relative to naming House Bill 533.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 239. To amend Section 413 of Title 37 of the 1940 Code of Alabama, as amended.

Also:

H. 521. To designate certain space on the second floor of the Capitol for the use of the Legislature and the Committees, members, officers and employees thereof.

Also:

H. 659. TO exempt from state, county and municipal taxes, licenses, fees and charges, property owned by certain non-profit membership corporations of retired public school teachers and supervisory staff personnel.

Also:

H. 1014. To regulate further payment of compensation to deputy sheriffs by Lamar County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to pay the compensation of deputy sheriffs from the county public highway and traffic fund.

Also:

H. 1074. To direct and require the commissioner of revenue and the state department of revenue to collect any sales and use taxes now or hereafter levied in the town of Millport, Lamar County, under the

provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said town; to prescribe the powers, duties, and authority of the commissioner of revenue, the state department of revenue, and the comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying and following message from His Excellency, the Governor, proposing an amendment to the bill, H. 998, said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

November 12, 1959

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, House Bill 998, with a suggested executive amendment, as follows:

Amend House Bill 998 by striking out all of Section 1 following the colon which ends the first paragraph, and inserting in lieu thereof the following:

"Beginning at the southwest corner of the Southwest Quarter of Section 6, Township 13, South, Range 10 East, in Calhoun County, Alabama; running thence north along the west line of the said "Forty" to the northwest corner thereof; thence east along the north line of the said "Forty" and continuing east along the north line of the Southeast Quarter of the Southwest Quarter of Section 6, Township 13, Range 10, to the northeast corner of said "Forty"; thence south along the east line of said "Forty" to the northeast corner of the east one-half (E½) of the Northwest Quarter of Section 7, Township 13, Range 10 and continuing south along the east line of the said east half (E½) of the Northwest Quarter to the north boundary of the right-of-way of the Piedmont-Jacksonville Highway; thence with and along the said right-of-way southwesterly to a point where said highway right-of-way line intersects the Cherokee-Creek Indian boundary line, which is the south line of the east one-half (E½) of the Northwest Quarter of said Section 7; thence westerly along said Indian boundary line 341.9 feet to the southwest corner of the east one-half (E½) of the Northwest Quarter of said Section 7; thence north along the west line of said east one-half (E½) of Northwest Quarter to the southeast

corner of the Southwest Quarter of the Southwest Quarter of said Section 6, Township 13, Range 10 East; thence west along the south line of the said "Forty" to the point of beginning.

"All of the foregoing property being situated in Sections 6 and 7, Township 13 South, Range 10 East and in Calhoun County, Alabama."

"There is excepted from the foregoing description all the property lying within the present city limits of the City of Piedmont, Alabama.

"Also, fractional Lots Eighteen (18), Twenty-three (23) and Twenty-four (24) in fractional Section Thirty-one (31), Township Twelve (12), Range Ten (10) in Calhoun County, Alabama. There is excepted from the foregoing description all the property lying within the present city limits of the City of Piedmont, Alabama. There is also excepted from this description a triangular strip of land containing Two and one-half (2½) acres, more or less, situated on the south side of the Piedmont-Gadsden Highway out of the southwest corner of the said Lot 23."

This bill is being returned with the full knowledge and approval of the author of the bill, and if the above amendment is adopted, it will remove my objection to the bill.

Respectfully,

JOHN PATTERSON,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the Bill, H. 998 by a vote of Yeas 89; Nays 0, which was a majority of the whole number elected to the House.

And said bill:

H. 998. To alter, extend and rearrange the boundary lines and corporate limits of the City of Piedmont in Calhoun County, so as to annex certain territory to the city.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas 87, Nays 0, which was a majority of the whole number elected to the House.

And said bill, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Shelton, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 998, the title of which, and said executive amendment, is set out in the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Caffey	Dumas	Golson
Andrews	Clark	Eddins	Green
Archer	Cooper	Gaither	Hines
Berryman	deGraffenried	Givhan	Kendall

Leonard	Robison	Shelton	Wilson
Porter	Rutledge	Webb	Wyatt
Roberts			

—24

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, as thus amended by the executive amendment, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Hines	Rutledge
Archer	Eddins	Kendall	Shelton
Berryman	Gaither	Leonard	Webb
Caffey	Givhan	Porter	Wilson
Clark	Golson	Roberts	Wyatt
Cooper			

—24

Nays: —0

which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1079. To establish a Law and Equity Court for Shelby County, Alabama: to define its jurisdiction and powers; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide a Court Reporter for said Court, whenever needed, and to fix and prescribe his duties and compensation; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and Juvenile Court of Shelby County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the County Court of Shelby County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Archer	Eddins	Kendall	Samford
Barnett	Gaither	Leonard	Shelton
Caffey	Givhan	Moses	Webb
Clark	Godfrey	Roberts	Word
Crawford	Graham	Robison	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 256. Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the

enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act.

Was read a third time at length and passed.

Yeas 29; Nay 1.

Yeas:

Messrs.:	Crawford	Graham	Rutledge	
Andrews	Dumas	Green	Samford	
Archer	Eddins	Haltom	Turner	
Barnett	Farmer	Hines	Webb	
Berryman	Gaither	Kendall	Wilson	
Caffey	Givhan	Porter	Word	
Clark	Godfrey	Robison	Wyatt	
Cooper	Golson			—29

Nay: Mr. deGraffenried. —1

The Bill:

H. 1032. To amend Act No. 476, H. 627, approved September 9, 1955, which creates the office of deputy circuit solicitor in the twenty-third judicial circuit and provides for the appointment, duties and compensation of such officer.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Andrews	Dumas	Green	Rutledge	
Archer	Eddins	Haltom	Samford	
Barnett	Farmer	Jones	Turner	
Berryman	Gaither	Kendall	Webb	
Caffey	Givhan	Leonard	Wilson	
Clark	Godfrey	Porter	Wyatt	
Crawford	Golson			—29

Nays: —0

APPOINTMENT OF OIL AND GAS INTERIM COMMITTEE

In accordance with the provisions of S. B. 39, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Eddins and Kendall.

APPOINTMENT OF COMMITTEE TO ADVISE WITH BOARD OF CORRECTIONS UNDER S. J. R. 12

In accordance with the provisions of S. J. R. 12, the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Webb, Robison, Wilson, Graham, Haltom and Dumas.

RECESS

At 2 o'clock P. M., on motion of Mr. Rutledge, the Senate took a recess until 3:30 this afternoon.

AFTERNOON SESSION

THIRTY-SIXTH LEGISLATIVE DAY

THURSDAY, NOVEMBER 12, 1959

The Senate reassembled at 3:30 P. M., Lieutenant Governor Boutwell presiding.

ROLL CALL

Present:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Rutledge
Archer	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Leonard	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Golson	Porter	Word
Crawford	Graham	Roberts	Wyatt

—35

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 335. To revise and amend Chapter 4 of Title 46 of the Code of Alabama (1940), relating to the licensing of general contractors.

Also:

S. 425. To alter or rearrange the boundary lines of the city of Pell City, St. Clair County, Alabama, so as to include within the Corporate Limits of said City all territory now within such Corporate Limits, and also certain other territory in St. Clair County, Alabama.

Also:

S. 427. To propose an Amendment to the Constitution of Alabama to provide that the making and collection of mortgage loans in Alabama by non-residents solely through the Agency of loan brokers duly licensed

as Montgage Loan Brokers under the laws of Alabama, and maintaining a place of business in the State of Alabama, shall not constitute doing business in Alabama by such non-resident lender, but subjecting such non-resident lender to process in Alabama for the purpose of determining any question concerning such loans.

Also:

S. 433. To extend, alter, and rearrange the boundary lines and corporate limits of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

S. 459. To apply in all counties of the State having a population of not less than 500,000 according to the last or any subsequent Federal decennial census; to authorize the county commission of any county to which this act applies to call an election for the approval or disapproval of central daylight savings time; providing for the ordering and holding of such election.

Also:

S. 460. To extend, alter and rearrange the boundary lines and corporate limits of the city of Irondale in Jefferson County, Alabama, so as to include within the corporate limits of said city of Irondale all territory now within such corporate limits and also certain other territory contiguous thereto.

Also:

S. 461. To prohibit any person who has attained the age of 70 years from holding any position in the classified service in any county to which Act No. 248, General Laws of Alabama, approved July 6, 1945 (1945 Acts, pp. 376-400), entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the muncipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof," applies and to provide that this Act shall become effective January 1, 1962.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate,

signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE
ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 40. Naming Senate Bill 53.

Also:

S. J. R. 41. Allowing the Clerk of the House and the Secretary of the Senate assistants for checking Legislative Records.

HUGH MOSES,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING

The Bill:

H. 522. To amend Section 3 of an act approved July 9, 1943, creating the Elementary Teachers Scholarship Fund (Act No. 535, S. 371, General Acts 1943, p. 509) so as to provide that funds available to each teachers college for the purpose of making scholarship grants directly may be used instead to match federal funds made available for a like purpose.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Rutledge	
Andrews	Dumas	Hines	Shelton	
Archer	Farmer	Jones	Turner	
Berryman	Gaither	Kendall	Webb	
Caffey	Givhan	Leonard	Wilson	
Clark	Godfrey	Moses	Word	
Cooper	Golson	Porter	Wyatt	
Crawford	Graham	Robison		—30

Nays: —0

The Bill:

H. 437. To create an additional judgeship for, and a domestic relations division of, the Sixth Judicial Circuit of Alabama; defining its

jurisdiction and authority; and providing that the judge of the domestic relations division of the Circuit Court shall be ex-officio judge of the Juvenile Court.

was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, to-wit:

FINANCE AND TAXATION COMMITTEE SUBSTITUTE FOR

H. B. 437

A BILL
TO BE ENTITLED
AN ACT

To authorize and create an additional Judge of the Sixth Judicial Circuit of Alabama, to be designated Circuit Judge place number three therein and to provide for his election, jurisdiction, powers, duties, authority and qualifications, to render him liable to all the pains and penalties of other Circuit Judges of the State of Alabama and to provide that such circuit Judge number three shall be ex-officio Judge of all courts in such circuit as to Juvenile and Domestic Relations cases, hearings and proceedings and shall have the supervision and direction of all personnel in the Sixth Judicial Circuit of Alabama as to Juvenile and Domestic Relations and to provide for and fix the salary of such Judge.

Be It Enacted by the Legislature of Alabama:

Section 1. After a judge has been elected as hereinafter provided in this Act, there shall be three circuit judges for the Sixth Judicial Circuit for the State of Alabama.

Section 2. Said additional judge of and for the Sixth Judicial Circuit of Alabama shall be elected at the next general election of any state officers, to hold office for a term to expire at the next general election for circuit judges. His successor shall be elected at the next general election for circuit judges, and every six years thereafter, for the same term of office as other circuit judges in the sixth judicial circuit.

Section 3. That the said additional judge hereby authorized shall be known and designated circuit judge, place number three, of the Sixth Judicial Circuit of Alabama and said additional judge shall have and exercise all the jurisdiction, powers, rights, and authority and shall possess all the qualifications and may perform all the duties that the other circuit judges of the State of Alabama may exercise, shall possess or may perform, and he shall be liable to all the pains and penalties of said other circuit judges of the State.

Section 4. That in addition to the duties imposed on him by law, said circuit judge, place number 3, shall also be ex-officio judge at all courts in the Sixth Judicial circuit of Alabama having or exercising jurisdiction as to juvenile and domestic relations matters and as to juvenile and domestic relations cases, hearings and proceedings, and such judge shall have an exercise exclusive jurisdiction in such juvenile and domestic relations matters, cases, hearings and proceedings therein and shall have and exercise all the functions and powers conferred upon juvenile and domestic relations courts under the terms of Chapter 7, Title 13, Chapter 4, Title 34; Chapter 6, Title 45; Chapter 11, Title 52; Code of Alabama 1940 or any statute amendatory thereof or supplemental thereto.

Section 5. That said circuit judge, place number three, shall have and exercise supervision and direction of all personnel in such judicial circuit engaged or employed in juvenile or domestic relations matters.

Section 6. Said circuit judge, place number three, shall be entitled to receive the same salary, to be paid in the same manner and from the same sources, as the other two judges of the sixth judicial circuit.

Section 7. Appeals to the circuit court from the judgments or orders of any court in said county exercising juvenile or domestic relations jurisdiction shall be assigned by the presiding judge of the Sixth circuit to judges of said court other than circuit judge place number three.

Section 8. That if any section, clause or provision of this Act shall be declared to be unconstitutional the same shall not be held to affect any other section, clause or provision but the same shall remain in full force and effect.

Section 9. That all laws and parts of laws, either general, local or special, in conflict with the provisions of this Act are hereby repealed.

On Motion of Mr. deGraffenried, said Committee Substitute was laid on the table.

Mr. deGraffenried then offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 437

A BILL
TO BE ENTITLED
AN ACT

To authorize and create an additional Judge of the Sixth Judicial Circuit of Alabama, to be designated Circuit Judge place number three therein and to provide for his election, jurisdiction, powers, duties, authority and qualifications, to render him liable to all the pains and penalties of other Circuit Judges of the State of Alabama and to provide that such circuit Judge number three shall be ex-officio Judge of all courts in such circuit as to juvenile and Domestic Relations cases, hearings and proceedings and shall have the supervision and direction of all personnel in the Sixth Judicial Circuit of Alabama as to Juvenile and Domestic Relations and to provide for and fix the salary of such Judge.

Be It Enacted by the Legislature of Alabama:

Section 1. After a judge has been elected as hereinafter provided in this Act, there shall be three circuit judges for the Sixth Judicial Circuit for the State of Alabama.

Section 2. Said additional judge of and for the Sixth Judicial Circuit of Alabama shall be elected at the next general election of any state officers, to hold office for a term to expire at the next general election for circuit judges. His successor shall be elected at the next general election for circuit judges, and every six years thereafter, for the same term of office as other circuit judges in the sixth judicial circuit.

Section 3. That the said additional judge hereby authorized shall be known and designated circuit judge, place number three, of the Sixth Judicial Circuit of Alabama and said additional judge shall have

and exercise all the jurisdiction, powers, rights, and authority and shall possess all the qualifications and may perform all the duties that the other circuit judges of the State of Alabama may exercise shall possess or may perform, and he shall be liable to all the pains and penalties of said other circuit judges of the State.

Section 4. That in addition to the duties imposed on him by law, said circuit judge, place number 3, shall also be ex-officio judge of all courts in the Sixth Judicial circuit of Alabama having or exercising jurisdiction as to juvenile and domestic relations matters and as to juvenile and domestic relations cases, hearings and proceedings, and such judge shall have and exercise exclusive jurisdiction in such juvenile and domestic relations matters, cases, hearings and proceedings therein and shall have and exercise all the functions and powers conferred upon juvenile and domestic relations courts under the terms of Chapter 7, Title 13; Chapter 4, Title 34; Chapter 6, Title 45; Chapter 11, Title 52; Code of Alabama 1940 or any statute amendatory thereof or supplemental thereto.

Section 5. That said circuit judge, place number three, shall have and exercise supervision and direction of all personnel in such judicial circuit engaged or employed in juvenile or domestic relations matters.

Section 6. Said circuit judge, place number three, shall be entitled to receive the same salary, to be paid in the same manner and from the same sources, as the other two judges of the sixth judicial circuit, including any supplemental salary and/or expenses paid by any county in said circuit.

Section 7. Appeals to the circuit court from the judgments or orders of any court in said county exercising juvenile or domestic relations jurisdiction shall be assigned by the presiding judge of the Sixth Judicial circuit to judges of said court other than circuit judge place number three.

Section 8. That if any section, clause or provision of this Act shall be declared to be unconstitutional the same shall not be held to affect any other section, clause or provision but the same shall remain in full force and effect.

Section 9. That all laws and parts of laws, either general, local or special, in conflict with the provisions of this Act are hereby repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Rutledge	
Andrews	Dumas	Hines	Samford	
Archer	Eddins	Kendall	Shelton	
Berryman	Farmer	Leonard	Turner	
Caffey	Gaither	Moses	Webb	
Clark	Godfrey	Porter	Wilson	
Cooper	Golson	Robison	Word	
Crawford	Graham			—29

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Rutledge	
Andrews	Dumas	Hines	Samford	
Archer	Eddins	Jones	Shelton	
Berryman	Farmer	Leonard	Turner	
Caffey	Gaither	Moses	Webb	
Clark	Godfrey	Porter	Wilson	
Cooper	Golson	Robison	Wyatt	
Crawford	Graham			—29

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses, on the Senate Amendment to the bill, H. 850. Said report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE

ON H. B. 850

We, your committee of conference appointed to reconcile the disagreement between the two house concerning the bill, H. B. 850, report as follows:

First, we recommend that the House agree to the senate amendment to the bill.

Second, we recommend that Section 2 of the bill be amended to read as follows:

Section 2. That the boundary lines of the City of Decatur, in Morgan County, Alabama, be and the same are hereby extended so as to include, in addition to the territory now embraced therein, the following described property, to-wit:

Beginning at the point of intersection of the south right-of-way line of Alabama Highway No. 20 (U.S.-72A) and west city limit of City of Decatur (East boundary Section 12, Township 5 South, Range 5 West), thence west along said right-of-way line to the point of intersection with the west boundary of Section 15, Township 5 South, Range 5 West, thence south along section lines to the point of intersection with the South right-of-way line of Old Alabama Highway No. 24 (near the southeast corner of Section 27, Township 5 South, Range 5 West; thence northeasterly along said right-of-way line to the point of intersection with the East boundary of NW¼ of NW¼, Section 26, Township 5 South, Range 5 West, thence South along said East boundary to the southeast corner of said forty, thence East along the North boundary of SE¼ of NW¼ of said Section 26 to the northeast corner of the W½ of SE¼ of NW¼ of said Section 26, thence South to the southeast corner of said forty, thence East to the center of said Section 26, thence North to the northwest corner of SW¼ of NE¼ of said Section 26, thence East to the center of the NE¼ of said Section 26, thence North along the West boundary of the NE¼ of the NE¼ of said Section 26 and the West boundary of the E½ of the SE¼, Section

23, Township 5 South, Range 5 West to the point of intersection with the South right-of-way line of Old Alabama Highway 24, thence northeast along said right-of-way line to the point of intersection with the City limit line of the City of Decatur, Alabama, thence West, North, East, North, Southeast, Northeast, Southeast and North along the present Decatur City limit line to the point of beginning.

Third, we recommend that two new sections be added to the bill as follows:

Section 3. The provisions of Section 1 of this Act shall become effective immediately upon the passage and approval of the Act; but the provisions of Section 2 shall take effect only as provided in Section 4.

Section 4. (a) The provisions of Section 2 of this Act shall become effective only upon the approval of a majority of the qualified electors of Morgan County who reside within the territory described in Section 2 which is outside the present corporate limits of the City of Decatur, who vote thereon at a referendum election. The election shall be held within six months from the date of this enactment. The city council or commission of the City of Decatur shall provide for the holding of such a referendum.

(b) Notice of the election shall be given by the mayor of the City of Decatur and shall be published at least one time in a newspaper published in the City of Decatur not less than ten days prior to the date of the election. The notice shall state the date on which the election is to be held and describe the voting places designated by the council or commission of the City of Decatur and the boundaries within which voters must reside to vote at the respective voting places, which must be within the territory to be annexed to the city by Section 2 of this Act; and the notice must also state that a map of the territory to be affected is on file in the office of the city clerk, open to inspection by the public. The council or commission of the City of Decatur shall provide for such a map.

(c) The mayor of the City of Decatur, with the approval of the council or commission of the city, shall designate as many places within the particular territory to be annexed to the City of Decatur by Section 2 of this Act as he may deem necessary for the convenience of the voters, and must designate the boundaries within which the voters must reside to vote at the respective voting places; and the mayor of said city, with the approval of the city council or commission, shall appoint the election officials necessary to conduct the election.

(d) Each qualified voter of Morgan County who has resided within the boundaries of the territory to be annexed to the city by Section 2 of this Act for three months or more next preceding the election may vote at the election, but he or she must vote at the voting place designated for voters in the territory in which he or she resides and in no other place. There shall be no absentee voting in the election. The election provided for herein shall be conducted in all respects as provided by the general election laws and under the same sanctions and penalties, except as modified by the provisions of this section. The election officials at the several voting places, as soon as the polls are closed on the date of the election, shall ascertain and certify the results of the election to the city clerk, and the city council or commission shall, within ten days thereafter, canvass the returns as made. If a majority of the voters who vote at the election approve of the annexation of the territory described in Section 2, the provisions of Section 2 of this Act shall become operative on the first day of the month next following the date of such election; however, if a majority of the votes cast at

the election are against such annexation, the provisions of Section 2 of this Act shall have no further effect. The mayor of the City of Decatur shall certify the results of the election to the secretary of state of the State of Alabama and to the probate judge of Morgan County within thirty days of the date of the election, and he shall file with the city clerk a copy of such certificate.

(e) The costs for holding the referendum election provided for in this section shall be paid entirely by the City of Decatur.

Fourth, we recommend that the following be added in Section 1 at the end of the paragraph designated "Tract 5" as amended following the words "Decatur-Danville Road"; "and north of the property shown to be owned by Paul O. Hampton."

Conferees on Part of Senate:	Conferees on Part of House:
DAVE ARCHER	BOB GILCHRIST
GEORGE GODFREY	HUGH MORROW, III
ROBERT R. BERRYMAN	ALBERT P. BREWER

And said bill:

H. 850. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

As amended by the report of the Committee on Conference was again read at length and passed by a vote of: Yeas 86; Nays 0.

And said Report of the Committee on Conference is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Berryman, the Senate concurred in and adopted the report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill, H. B. 850, the title of which and said Conference report is set out ir the foregoing Message from the House.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Eddins	Hines	Samford
Archer	Gaither	Jones	Turner
Berryman	Godfrey	Leonard	Wilson
Clark	Golson	Moses	Word
Cooper	Green	Porter	Wyatt
deGraffenried			

—24

Nays: —0

And said Bill, as thus amended by the Conference report, was again read at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Eddins	Hines	Samford	
Archer	Gaither	Jones	Turner	
Berryman	Godfrey	Leonard	Wilson	
Clark	Golson	Moses	Word	
Cooper	Green	Porter	Wyatt	
deGraffenried				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1082. To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 36. Relating to frauds concerning checks, drafs, or orders for the payment of money; prohibiting the giving of worthless checks or drafts; prescribing penalties; repealing conflicting laws (Act No. 116, H. 63, approved June 20, 1951).

Also:

H. 38. Relating to civil remedies and procedures; providing for actions on worthless checks, drafts, or orders for the payment of money.

Also:

H. 952. To provide for an additional judge of the Thirteenth Judicial Circuit of Alabama.

Also:

H. 1012. To provide for the recording of conveyances in Barbour County, and to repeal Sections 2, 3, 4 and 5 of Act No. 270, approved February 12, 1879, Acts of Alabama 1878-79, pages 295 and 296.

Also:

H. 1134. To alter, rearrange and extend the boundaries of Dadeville, Tallapoosa County; repealing Section 2 of Act No. 286, H. B. 197, passed at the Session of 1878-1879, and approved January 16, 1879 (Acts of Alabama 1878, p. 328).

Also:

H. 372. To amend further the act approved July 7, 1945 (Act No. 412, S. 261, Gen. Acts 1945, p. 647) providing for the adoption, selection, purchase, and distribution of textbooks to be used in the tax-supported public schools of Alabama.

Also:

H. 445. To re-enact and amend Section 112 of Title 13, Code of Alabama 1940, relating to a division of the State into judicial circuits.

Also:

H. 662. For the relief of Robins Engineering, Inc: To make an appropriation of State Highway Department funds to compensate such company for certain construction work done on Alabama Highway Project S-532-B Lauderdale County, Alabama.

Also:

H. 752. To make additional appropriations to the State Department of Education for each of the fiscal years ending September 30, 1960, and September 30, 1961.

Also:

H. 797. To revise Article 1 of Chapter 1 of Title 23 of the Code of Alabama of 1940 as amended, in relation to Highways, Roads, Bridges and Ferrys by amending Section 23 and Section 35.

Also:

H. 839. To amend Sections 4 and 7 of Title 51, Code of Alabama 1940, which relate to applications for exemptions of factories, industries, and plants from ad valorem tax.

Also:

H. 931. Relating to schools; to provide for a Committee on Courses of Study; to prescribe the qualification and compensation of its members; to define its duties; and to repeal Sections 404, 405, 406, 407 of Title 52, Code of Alabama 1940 as amended.

Also:

H. 1011. To amend Section 2 as amended of an act in reference to and to further provide for the Fine and Forfeiture Fund of the County of Baldwin, Alabama, by the transfer thereto of any surplus now in or hereafter accumulating in the County Solicitors Fund created by an act of this Legislature and provide the manner of transferring such surplus thereto, and to provide for the distribution of the surplus of such Fine and Forfeiture Fund, after the payment of all other claims and demands now or hereafter chargeable by law against such funds, first to the payment therefrom of the salary of a deputy sheriff for such county, in addition to and other than the deputy sheriff whose salary is paid out of the general fund of such county, and then by transferring any surplus remaining in such fund at the expiration of each sheriff's term of office, after the payment of all claims and demands now or hereafter by law chargeable against such fund including the salary of the deputy by this Act payable out of such fund to the general fund of the county, and to fix the amount of such deputy sheriff's salary payable from such fund and the time and manner of the payment thereof, and to provide that any deficiency in the payment of such salary in any calendar year or years may be paid from any surplus in such fund accruing in any succeeding year or years only during the term of office of the sheriff appointing such deputy, approved May 28, 1931, reported, Local Acts Alabama 1931, pages 83-84.

Also:

H. 1065. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Brent, Bibb County, Alabama, so as to annex certain territory to the Town.

Also:

H. 1075. To amend Sections 1, 2, 4, and 6 of Act No. 68 adopted at the 1957 Regular Session of the Legislature of Alabama so that the scope of the license taxes levied in Limestone County by said Act No. 68 and the exemptions and other provisions applicable to said license taxes shall parallel, although at the rates herein specified, the scope of the state sales and use taxes levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and by Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said state sales and use taxes; so as to make subject to said license taxes, at the rates herein specified, the sale, use, storage and consumption of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding and manufacturing tangible personal property; and so as to increase the rate of said license taxes with respect to sale, use, storage or consumption of automotive vehicles, truck trailers and semi-trailers.

Also:

H. 1077. To provide for the establishment and operation of a public clinic in the municipality of Uniontown, Perry County.

Also:

H. 1112. Relating to Baldwin County; Authorizing the County Commissioners of Baldwin County, Alabama, to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid. To prescribe their method of appointment and fix their duties.

Also:

H. 1130. To amend Act No. 25 adopted at the 1959 First Special Session of the Legislature of Alabama entitled "An Act relating to Lawrence County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales

price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes", so that the scope of the license tax levied in said Act No. 25 and the exemptions and other provisions applicable to said license tax shall parallel, although at the rates herein specified, the scope of the State Sales Tax levied by Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, and the exemptions and other provisions applicable to the said State Sales Tax; so that the scope of the excise tax levied in said Act No. 25 and the exemptions and other provisions applicable to said excise tax shall parallel, although at the rates herein specified, the scope of the State Use Tax levied by Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as last amended prior to September 1, 1959, and the exemptions and other provisions applicable to the said State Use Tax; so as to adopt by reference certain provisions of the said Act No. 100 and the said Article 11, as so amended; so as to make subject to the said license tax the sale of machines, and parts, attachments and replacements therefor, used in mining, quarrying, compounding, processing and manufacturing tangible personal property; so as to make subject to the said excise tax the use, storage or consumption of such machines, parts, attachments, and replacements; and so as to increase the rate of said license tax and of said excise tax with respect to the sale, use, storage or consumption of automotive vehicles, trailers, and semi-trailers.

Also:

H. 66. To authorize any county board of registrars which is not furnished clerical assistance to reserve certain meeting days for the performance of such necessary clerical work as may be required of the board in connection with the discharge of its duties.

Also:

H. 67. To amend further Section 26 of Title 17, Code of Alabama (1940), which relates to meetings of county boards of registrars.

Also:

H. 256. Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for

the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act.

Also:

H. 981. To amend Section 87 of Title 22, Code of Alabama 1940, in relation to the enactment of regulations governing the removal or transportation of the bodies of deceased persons by cities and towns.

Also:

H. 1032. To amend Act No. 476, H. 627, approved September 9, 1955, which creates the office of deputy circuit solicitor in the twenty-third judicial circuit and provides for the appointment, duties and compensation of such officer.

Also:

H. 1070. To provide for the compensation of special bailiffs in the circuit courts of all counties having a population of not less than 80,000 nor more than 94,000, according to the most recent federal decennial census.

Also:

H. 1079. To establish a Law and Equity Court for Shelby County, Alabama: to define its jurisdiction and powers; to provide for its officers and appointment, election, terms of office, powers, duties and compensation; to provide a Court Reporter for said Court, whenever needed, and to fix and prescribe his duties and compensation; to provide that said Court shall be open at all times for the trial of causes and the transaction of business; to provide the rules and procedure of said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court and the Juvenile Court of Shelby County, Alabama; and to give the said Court juvenile and domestic jurisdiction; and to abolish the County Court of Shelby County, Alabama.

Also:

H. 1091. To provide that Justices of the Peace, in all Counties having a population of not less than 38,750 and not more than 39,250 according to the last or any subsequent Federal decennial census, shall not have any jurisdiction over any criminal offense, unless, there is no other Court or Courts existing in any such County which can lawfully exercise jurisdiction over such offense; to abolish the criminal jurisdiction of Justices of the Peace in such Counties and to confer the same upon other Court or Courts existing in such Counties which can lawfully exercise such jurisdiction.

Also:

H. 998. To alter, extend and rearrange the boundary lines and corporate limits of the City of Piedmont in Calhoun County, so as to annex certain territory to the city.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their

titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 100. Relative to expressing thanks and appreciation to Mr. Charles Cooper, Director of the Legislative Reference Service, and members of his staff for their excellent service to members of the Legislature.

Also:

H. J. R. 102. Relative to commending Mr. Herbert R. Nation and the Brown Printing Company.

Also:

H. J. R. 103. Relative to relieving the Clerk of the House of Representatives and the Secretary of the Senate of responsibility for the Codes, Supplements, Acts, Journals, etc. furnished to the members of the Legislature.

Also:

H. J. R. 104. Relative to commending Miss Mittie Miller and Charles Miller.

Also:

H. J. R. 106. Relative to naming House Bill 345.

Also:

H. J. R. 107. Relative to directing the duties of the Legislative Council.

Also:

H. J. R. 108. Relative to naming House Bill 1042.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1082. To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 28. To declare illegal the failure on part of all persons soliciting, making, procuring or receiving the same to make disclosure as to any contribution, commitment, acceptance or use of funds, assets or services in aid of the institution or maintenance of any suit or proceeding against the State of Alabama or any official, agency or subdivision thereof with respect to any order or official action of such Authority or to establish immunity or obtain injunction or declaratory action with respect thereto; also to provide criminal penalties for failure to make such disclosure or for wilfully making false statements therein and providing for the enforcement of this Act.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 376. Relating to the fees and compensation of coroners; amending Sections 94 and 95 of Title 11, Code of Alabama 1940.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Long (Perry):

H. J. R. 109. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the Bill H. B. 102, which has passed both Houses be designated and known as "The Gilchrist-Roberts (Madison) Bill."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Crawford, the Rules were suspended and the Resolution, H. J. R. 109, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 86. To amend further Section 34 of Title 61, Code of Alabama 1940, in relation to the time limit for probate of wills.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Webb, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 86, the title of which is set out in the foregoing Message from the House:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 34 of Title 61, Code of Alabama 1940, in relation to the time limit for probate of wills.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 61, Section 34, as amended, is amended further to read as follows:

TIME LIMIT FOR PROBATE OF WILLS

"Section 34. Wills shall not be effective unless filed for probate within five years from the date of the death of the testator. (If testator was not an inhabitant of this state at the time of his or her death, the will may be admitted to probate in this state pursuant to section forty-six of this title, provided the will was admitted to probate, within five years from the date of death, in the state, territory, or country where the testator resided at the time of death, and provided further, the probate in this state of the will of an inhabitant of another state, territory or country shall not be effective against persons purchasing from the heirs of such testator if such purchase was made more than five years after the death of the testator and prior to February 24, 1959.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, but it does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Graham	Rutledge	
Andrews	deGraffenried	Haltom	Samford	
Archer	Eddins	Hines	Shelton	
Barnett	Farmer	Jones	Webb	
Berryman	Gaither	Kendall	Wilson	
Caffey	Godfrey	Robison	Word	
Clark				—24

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 160. Relating to cooperative agricultural associations: To amend Section 105 of Title 2 of the Code of Alabama of 1940 which relates to the use of the word "cooperative" in the name of agricultural cooperative associations.

Also:

S. 161. Relating to cooperative agricultural associations: To amend Sections 116, 117 and 118 of Title 2 of the Code of Alabama of 1940 which relate to the organization and management of agricultural cooperative associations such amendments to prescribe the procedure whereby said organizations may amend its declarations of incorporation, by-laws and fill vacancies occurring on boards of directors.

Also:

S. 162. Relating to cooperative agricultural associations: To amend Section 76 of Title 2 of the Code of Alabama of 1940 to authorize Boards of Directors of Agricultural cooperative associations to mortgage real estate owned by such cooperative associations.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 437. To authorize and create an additional Judge of the Sixth Judicial Circuit of Alabama, to be designated Circuit Judge place number three therein and to provide for his election, jurisdiction, powers, duties, authority and qualifications, to render him liable to all the pains and penalties of other Circuit Judges of the State of Alabama and to provide that such circuit Judge number three shall be ex-officio Judge of all courts in such circuit as to Juvenile and Domestic Relations cases, hearings and proceedings and shall have the supervision and direction of all personnel in the Sixth Judicial Circuit of Alabama as to Juvenile and Domestic Relations and to provide for and fix the salary of such Judge.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1031. Providing further for the election and organization of the council in all cities having a population of not less than 14,000 nor more than 19,000, according to the last or any subsequent federal decennial census, and operating under the mayor-council form of government; providing for the election of councilmen by place and number; and prescribing additional qualifications for candidates seeking election to such council.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 1031

In Section 1, strike out the word "once".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts
Archer	Farmer	Hines	Rutledge
Caffey	Givhan	Jones	Turner
Clark	Godfrey	Kendall	Webb
Cooper	Golson	Moses	Word
Crawford	Graham	Porter	Wyatt
deGraffenried			

—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts
Archer	Farmer	Hines	Rutledge
Caffey	Givhan	Jones	Turner
Clark	Godfrey	Kendall	Webb
Cooper	Golson	Moses	Word
Crawford	Graham	Porter	Wyatt
deGraffenried			

—24

Nays: —0

The Bill:

H. 719. Relating to the City of Mobile; to provide for a separate Mobile Urban Renewal Agency to plan or carry out any redevelopment or urban renewal project in such municipality if the governing body of the municipality by resolution declares that there is need for such Agency; to provide the number, method of appointment and terms of office of the commissioners of said Mobile Urban Renewal Agency; to provide the powers of said Mobile Urban Renewal Agency; to provide that such Urban Renewal Agency shall not have authority to construct or operate any dwelling accommodations except that it may temporari-

ly operate dwellings and real property acquired in a project area pending disposition; to provide that any existing municipal housing authority of said City shall not, after appointment of the Commissioners of said Mobile Urban Renewal Agency, have power to plan or carry out any redevelopment project or urban renewal project except as stated in this Act; to provide for the transfer of all assets and liabilities in connection with an existing project which is taken over by said Mobile Urban Renewal Agency; to supplement Title 25 of the Code of Alabama of 1940, relating to Housing as amended and supplemented by any Acts of the Legislature of Alabama heretofore enacted, including the following: Act No. 614 of the General Acts of 1939, approved July 10, 1940; Act No. 466 of the General Acts of 1943, approved July 7, 1943; Act No. 541 of the General Acts of 1943, approved July 7, 1943; Act No. 490 of the General Acts of 1949, approved August 30, 1949; Act No. 491 of the General Acts of 1949, approved August 30, 1949; Act No. 193 of the General Acts of 1951, approved July 9, 1951; Act No. 776 of the General Acts of 1951, approved September 11, 1951; Act No. 590 of the General Acts of 1953, approved September 11, 1953; Act No. 553 of the General Acts of 1955, approved September 9, 1955; Act No. 554 of the General Acts of 1955, approved September 9, 1955; to repeal any act or law inconsistent herewith; and to provide that if any portion of this act is held unconstitutional, such holding shall not affect the other parts thereof:

was taken up.

Mr. Caffey offered the following amendment to the bill, to-wit:

AMENDMENT TO HOUSE BILL 719

Amend House Bill 719 by adding after the word "body" in the first sentence of Section 2 thereof the following: "or of the Mobile Housing Board".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Jones	Samford
Archer	Givhan	Kendall	Shelton
Barnett	Godfrey	Moses	Webb
Caffey	Graham	Porter	Wilson
Cooper	Green	Roberts	Wyatt
Crawford			—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Caffey	Farmer	Green
Andrews	Cooper	Givhan	Haltom
Archer	Crawford	Godfrey	Jones
Barnett	Dumas	Graham	Kendall

Moses	Robison	Shelton	Wilson	
Porter	Samford	Webb	Wyatt	
Roberts				—24

Nays: —0

The Bill:

H. 1000. To propose and provide for the submission of an amendment to the Constitution of Alabama amending Amendment XVIII to said constitution, which pertains to Mobile County and the issuance of bonds and the levy of an ad valorem tax by said county for certain specified purposes.

was read a third time at length, as required by the Constitution, and passed .

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Hines	Samford	
Archer	Farmer	Kendall	Turner	
Barnett	Gaither	Moses	Webb	
Caffey	Givhan	Roberts	Wilson	
Cooper	Graham	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 1001. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County to issue its general obligation bonds not exceeding $3,000,000 in principal amount for capital improvements in said county, including not exceeding $1,000,000 principal amount for public school houses and not exceeding $2,000,000 principal amount for public hospital buildings, said bonds to be secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said constitution, and authorizing the continued levy and collection of said tax for payment of bonds issued hereunder.

was read a third time at length, as required by the Constitution, and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Jones	Samford	
Archer	Gaither	Kendall	Shelton	
Barnett	Godfrey	Moses	Webb	
Caffey	Golson	Porter	Wilson	
Cooper	Graham	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1013. To amend further Section 5 of Act No. 32, H. 162, approved June 27, 1947 (Local Acts of Alabama, 1947, p. 25), entitled "An

Act To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," by providing further for the compensation of the judge of the Colbert Law and Equity Court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Hines	Samford	
Archer	Farmer	Jones	Shelton	
Barnett	Givhan	Kendall	Webb	
Caffey	Graham	Moses	Wilson	
Clark	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1080. To provide for special meetings of the boards of education of all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Barnett	Farmer	Haltom	Rutledge	
Berryman	Gaither	Hines	Samford	
Clark	Godfrey	Kendall	Turner	
Cooper	Golson	Moses	Webb	
Crawford	Graham	Porter	Wilson	
deGraffenried				—24

Nays: —0

The Bill:

H. 1083. To provide a salary for the Coroner of Blount County, and to describe the manner of payment thereof: and making this Act effective upon approval of the voters of the county voting at a referendum.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts
Andrews	Eddins	Hines	Rutledge
Archer	Farmer	Jones	Shelton
Caffey	Givhan	Leonard	Turner
Clark	Godfrey	Moses	Wilson
Cooper	Graham	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1084. Providing for the appointment of a clerk or secretarial assistant for the County Solicitor of Blount County, and for the payment of the compensation of such clerk or assistant from the County Treasury; and making this Act effective upon the approval of the voters of the County voting at a referendum.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Roberts
Andrews	Dumas	Haltom	Rutledge
Archer	Eddins	Hines	Turner
Berryman	Gaither	Leonard	Webb
Caffey	Givhan	Moses	Word
Cooper	Golson	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1085. To alter, rearrange, and extend the boundary line of the City of Cullman, in Cullman County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Green	Roberts
Andrews	Dumas	Haltom	Rutledge
Archer	Farmer	Hines	Shelton
Barnett	Givhan	Leonard	Turner
Berryman	Godfrey	Moses	Wilson
Caffey	Graham	Porter	Wyatt
Clark			

—24

Nays: —0

The Bill:

H. 1086. To empower the county board of education of Marengo County to authorize the use of school buses for transporting persons to and from certain educational, civic and recreational functions, meetings, gatherings or encampments.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Robison	
Andrews	Gaither	Hines	Samford	
Archer	Givhan	Kendall	Turner	
Caffey	Golson	Leonard	Webb	
Clark	Graham	Moses	Wilson	
Cooper	Green	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 1027. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford	
Andrews	Gaither	Jones	Shelton	
Barnett	Givhan	Kendall	Turner	
Berryman	Godfrey	Moses	Webb	
Caffey	Golson	Porter	Word	
Clark	Graham	Robison	Wyatt	
Cooper				—24

Nays: —0

The Bill:

H. 1029. To amend further Section 3 of Act No. 199, H. 603, approved July 24, 1947 (Local Acts 1947, p. 113), an act to create and establish in Limestone County a court known as "The Limestone County Court", in relation to the compensation of the judge of the court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Graham	Robison	
Andrews	Eddins	Haltom	Rutledge	
Archer	Gaither	Jones	Turner	
Barnett	Givhan	Kendall	Webb	
Berryman	Godfrey	Porter	Word	
Cooper	Golson	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1036. To supplement the state salary payable to circuit judges by payment from the county treasury in all judicial circuits composed

of only one county which has a population of not less than 65,000 nor more than 75,000, according to the most recent federal decennial consus.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 1036

In Section 3, strike out the words and figures, October 1, 1960 and insert the words and figures, "on the first Monday after the second Tuesday in January, 1963".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Archer	Farmer	Jones	Samford	
Berryman	Gaither	Kendall	Shelton	
Caffey	Golson	Leonard	Turner	
Cooper	Graham	Roberts	Webb	
Crawford	Green	Robison	Word	
deGraffenried				—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Archer	Farmer	Jones	Samford	
Berryman	Gaither	Kendall	Shelton	
Caffey	Golson	Leonard	Turner	
Cooper	Graham	Roberts	Webb	
Crawford	Green	Robison	Word	
deGraffenried				—24

Nays: —0

The Bill:

H. 1066. To amend Section 2 of Act No. 57, H. 54, approved February 7, 1956 (Acts of Alabama, Special Sessions 1956, p. 86), the act levying a one cent per gallon tax on gasoline, kerosene, and diesel fuel sold, distributed, stored, or used in Blount County, by exempting liquefied petroleum gas, butane, and propane, sold for heating, cooking, and lighting purposes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Clark	Dumas	Godfrey
Archer	Cooper	Eddins	Golson
Barnett	Crawford	Farmer	Hines
Caffey	deGraffenried	Givhan	Kendall

Leonard	Roberts	Shelton	Word	
Moses	Rutledge	Turner	Wyatt	
Porter				—24

Nays: —0

The Bill:

H. 1093. To apply to counties having a population of 500,000 or more according to the last or any subsequent federal census; to provide for a study of judicial practice and procedure and court operation in such counties; to establish and provide for the composition of a "Commission for Judicial Study"; to state the powers, authority and duties of such commission; and to provide for the financing of the work of the commission.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Archer	Farmer	Hines	Turner	
Barnett	Gaither	Kendall	Webb	
Caffey	Godfrey	Leonard	Wilson	
Clark	Golson	Moses	Word	
Cooper	Graham	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1094. To vacate the following described land dedicated or conveyed for a park and to vacate all public interests therein and rights thereto: A strip of land of indefinite width lying Southwesterly of and adjacent to Crestview Subdivision, which subdivision is located in the SE¼ of SW¼, Section 4, Township 19 South, Range 3 West and the NE¼ of NW¼, Section 9, Township 19 South, Range 3 West, and recorded in Deed Book 1241, Page 294, in the Probate Court, Birmingham, Alabama and Bessemer, Alabama. Excepted from the above is a strip of right of way lying west of, parallel to and abutting the west line of said subdivision.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Rutledge	
Andrews	Farmer	Leonard	Shelton	
Berryman	Givhan	Moses	Turner	
Caffey	Godfrey	Porter	Webb	
Clark	Golson	Roberts	Wilson	
Cooper	Graham	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1095. To provide for the relief of John Hollis Camp out of the County Treasury of Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Archer	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Moses	Webb
Caffey	Godfrey	Porter	Wilson
Clark	Graham	Robison	Word
Crawford			—24

Nays: —0

The Bill:

H. 1096. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 500,000 or more according to the last or any subsequent Federal census, in 1961, 1971 and in each tenth year thereafter; and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Archer	Farmer	Hines	Shelton
Barnett	Gaither	Jones	Turner
Berryman	Godfrey	Moses	Webb
Clark	Graham	Porter	Word
Cooper	Green	Roberts	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 1097. To provide that any city which may now or hereafter have a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census and which may now or hereafter have in force and effect a comprehensive zoning ordinance shall provide for the appointment of a Zoning Board of Adjustment; and to prescribe the power, jurisdiction and authority of such Board.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Shelton
Berryman	Givhan	Moses	Webb
Caffey	Graham	Porter	Wilson
Clark	Green	Robison	Word
Crawford			

—24

Nays: —0

The Bill:

H. 1098. To apply to all counties in the State of Alabama having a population of 500,000 persons or more according to the last or any subsequent federal census, to provide that the governing body of each such county shall have authority to purchase, acquire and maintain one unmarked or undesignated passenger automobile for official use, said car to be serviced by the county and to provide for the payment and expenses of its upkeep.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Jones	Rutledge
Archer	Farmer	Leonard	Samford
Berryman	Gaither	Moses	Shelton
Caffey	Godfrey	Porter	Webb
Clark	Graham	Roberts	Word
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1099. To amend Section 2 of an act entitled "an act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal Census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agncies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the County affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof." (Approved July 6, 1945, General Acts of Legislature of Alabama, 1945, page 376.)

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Jones	Samford
Barnett	Gaither	Kendall	Turner
Berryman	Golson	Moses	Webb
Caffey	Graham	Porter	Wilson
Clark	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1117. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide further for the compensation of the chief clerk in the office of the sheriff.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Jones	Samford
Archer	Givhan	Kendall	Shelton
Barnett	Godfrey	Moses	Webb
Caffey	Golson	Porter	Wilson
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1110. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Caffey	Farmer	Green
Andrews	Cooper	Gaither	Haltom
Barnett	deGraffenried	Golson	Kendall
Berryman	Eddins	Graham	Leonard

Porter	Samford	Webb	Word	
Roberts	Shelton	Wilson	Wyatt	
Robison				—24

Nays: —0

The Bill:

H. 1111. To amend further Act No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties, and authority of the county superintendent of education of Conecuh County (Local Acts 1939, p. 319), in relation to the compensation and expense allowance of the county superintendent of education; repealing Act No. 152, H. 402, approved June 30, 1953 (Acts of Alabama, 1953 Reg. Sess., vol. I, p. 192) and all conflicting laws.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Gaither	Hines	Samford	
Archer	Givhan	Kendall	Turner	
Caffey	Godfrey	Moses	Webb	
Clark	Graham	Porter	Wilson	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1108. To fix the supplemental salaries of Circuit Solicitors in Judicial Circuits in Alabama composed of one county where the population of such county exceeds 94,000 people and is less than 134,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge	
Andrews	Gaither	Hines	Samford	
Barnett	Givhan	Kendall	Shelton	
Berryman	Golson	Leonard	Turner	
Caffey	Graham	Moses	Webb	
Cooper	Green	Robison	Word	
deGraffenried				—24

Nays: —0

The Bill:

H. 1107. To provide that the County Board of Revenue and Control or its successors in office or other governing body of Marshall County shall, upon the passage and approval of this bill shall have the right, in its judgment, after investigation of the necessity therefor, in the

Register's office in said County, to authorize the Register to employ some person who shall have the ability to take shorthand notes and transcribe the same, to work therein, take testimony, transcribe their notes and do any other thing that a Deputy Register could do under the law and to fix the salary of such person at not less than $250.00 nor more than $300.00 per month, to be paid to the Register for such services or to such person as the Register may appoint thereto. Said salary to be paid out of the General Fund of Marshall County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Archer	Dumas	Haltom	Rutledge
Berryman	Eddins	Jones	Samford
Caffey	Gaither	Kendall	Turner
Clark	Givhan	Leonard	Webb
Cooper	Graham	Porter	Word
Crawford			

—24

Nays: —0

The Bill:

H. 1136. To establish an inferior court to be called the Intermediate Civil Court of Bessemer; to provide for the Judge, Clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said Court; to provide for the transfer of causes from said Court to the circuit court; and to provide for appeals from said Court and regulate the manner of taking same.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Farmer	Jones	Samford
Archer	Gaither	Kendall	Shelton
Barnett	Givhan	Moses	Webb
Clark	Golson	Porter	Word
Cooper	Graham	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1137. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called The Bessemer Common Claims and Criminal Court. To define the jurisdiction and powers of said Court and the officers thereof; to provided for the election or appointment of the Judge, Clerk and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the pro-

cedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Archer	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Caffey	Givhan	Kendall	Webb
Clark	Godfrey	Moses	Wilson
Cooper	Graham	Porter	Wyatt
Crawford			

—24

Nays: —0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Dumas, further consideration of the Bills, H. B. 1106 and H. B. 1105, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1126. To alter and extend the boundaries of the City of Leeds, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Robison
Andrews	Dumas	Haltom	Rutledge
Archer	Farmer	Jones	Shelton
Barnett	Gaither	Leonard	Turner
Berryman	Givhan	Moses	Wilson
Clark	Godfrey	Roberts	Word
Cooper			

—24

Nays: —0

The Bill:

H. 1132. To provide for the compensation of the county or deputy solicitor in all counties having a population of not less than 20,500 nor more than 20,830, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Caffey	deGraffenried	Farmer
Andrews	Clark	Dumas	Givhan
Barnett	Cooper	Eddins	Golson

Graham	Jones	Roberts	Webb	
Green	Kendall	Samford	Wilson	
Haltom	Porter	Turner	Wyatt	
Hines				—24

Nays: —0

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Dumas, further consideration of the Bill, H. B. 1104, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1102. To apply in counties which now have or which may hereafter have a population in excess of 500,000 according to the last or any subsequent federal decennial census; providing for the use and disposition of sums in the amount of less than one dollar ($1.00) which come into the hands of the License Commissioner, Director of the Department of Revenue or such other official as may be by law charged with responsibility for the collection and remittance of licenses and license fees, as a result of overpayment for licenses or other fees.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Green	Roberts	
Andrews	Dumas	Haltom	Samford	
Archer	Farmer	Hines	Shelton	
Barnett	Godfrey	Kendall	Webb	
Berryman	Golson	Leonard	Word	
Clark	Graham	Porter	Wyatt	
Cooper				—24

Nays: —0

The Bill:

H. 1100. To amend Section 440 of Title 37 of the Code of Alabama, 1940, as last amended.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Roberts	
Andrews	Farmer	Hines	Rutledge	
Barnett	Gaither	Jones	Shelton	
Berryman	Godfrey	Kendall	Turner	
Clark	Golson	Leonard	Wilson	
Cooper	Graham	Porter	Word	
Crawford				—24

Nays: —0

The Bill:

H. 1021. To authorize the probate judges of all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent federal decennial census, to destroy or otherwise dispose of certain papers and documents filed for record in his office under certain conditions.

was taken up.

Mr. Dumas offered the following substitute for the Bill, to-wit:

SUBSTITUTE FOR H. B. 1021

A BILL
TO BE ENTITLED
AN ACT

To authorize the probate judges of all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent federal decennial census, to destroy or otherwise dispose of certain papers and documents filed for record in his office under certain conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of any county having a population of not less than 500,000 inhabitants, according to the last or any subsequent federal decennial census, is authorized and empowered to destroy or otherwise dispose of any deed, mortgage or other like instrument filed for record and recorded in his office when the owner thereof fails to provide a forwarding address to which such paper or document may be mailed after recording and fails to claim or demand the return of such paper or document within two years from the date such paper or document was filed for record. Also, the judge of probate of any such county shall not be required to subscribe for and take and file in his respective offices any weekly newspapers published in such county the date of publication of which is more than one year old, and such judge of probate is authorized, at his discretion, to destroy or otherwise dispose of all such newspapers the date of publication of which is more than one year old.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed. The provisions of Section 724, of Title 7, Code of Alabama of 1940, and all amendments thereto, in conflict with this Act are expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Caffey	Cooper
Andrews	Berryman	Clark	Crawford

Dumas	Green	Porter	Samford
Farmer	Haltom	Roberts	Turner
Gaither	Jones	Robison	Webb
Godfrey	Leonard	Rutledge	Wilson
Golson			

—24

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Crawford	Green	Robison
Andrews	Dumas	Haltom	Rutledge
Barnett	Farmer	Jones	Samford
Berryman	Gaither	Leonard	Turner
Caffey	Godfrey	Porter	Webb
Clark	Golson	Roberts	Wilson
Cooper			

—24

Nays: —0

The Bill:

H. 990. To amend Section 288 of Title 62 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Hines	Rutledge
Barnett	Gaither	Kendall	Samford
Berryman	Golson	Leonard	Turner
Clark	Graham	Porter	Webb
Cooper	Green	Roberts	Wilson
Crawford			

—24

Nays: —0

The Bill:

H. 991. To repeal Act No. 430 of the 1957 Regular Session of the Legislature of Alabama, approved September 6, 1957 (Acts of Alabama Regular Session 1957, page 593) entitled "An Act, To Authorize, Regulate and Provide For the payment of supplemental benefits to certain beneficiaries of municipal employees' pension, relief or retirement systems in cities in this state having a population of three hundred thousand or more, according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Clark	Crawford
Andrews	Caffey	Cooper	Dumas

Farmer	Haltom	Moses	Samford	
Gaither	Hines	Roberts	Shelton	
Givhan	Jones	Robison	Webb	
Golson	Leonard	Rutledge	Wilson	
Graham				—24

Nays: —0

The Bill:

H. 1002. To re-establish the County Court of Franklin County in lieu of the Law and Equity Court of Franklin County; abolishing the Law and Equity Court; providing for the transfer of the cases pending therein to the court hereby established or to the circuit court; defining the jurisdiction of the court hereby established; providing it with officers; defining their powers, duties, salaries, compensation, term of office and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; and providing for appeals from the court hereby established.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge	
Archer	Gaither	Hines	Shelton	
Barnett	Givhan	Jones	Turner	
Caffey	Godfrey	Kendall	Webb	
Clark	Graham	Moses	Word	
Cooper	Green	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 1004. Relating to Franklin County; fixing the compensation of members of the board of revenue, court of county commissioners, or other like governing body of Franklin County, and providing for the manner of payment thereof.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts	
Andrews	Dumas	Haltom	Rutledge	
Archer	Farmer	Hines	Turner	
Barnett	Givhan	Jones	Wilson	
Berryman	Godfrey	Kendall	Word	
Caffey	Golson	Moses	Wyatt	
Clark				—24

Nays: —0

The Bill:

H. 1034. To provide for reimbursement of expenses incurred by members of the Board of County Commissioners of Madison County in the performance of their duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Archer	Eddins	Hines	Rutledge
Berryman	Farmer	Jones	Shelton
Caffey	Givhan	Kendall	Webb
Cooper	Golson	Moses	Wilson
Crawford	Graham	Porter	Word
deGraffenried			

—24

Nays: **—0**

The Bill:

H. 1006. Relating to Tallapoosa County: To impose extra, new and additional duties upon members of the Court of County Commissioners and to provide additional compensation for the performance of such duties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Jones	Rutledge
Archer	Givhan	Leonard	Samford
Berryman	Golson	Moses	Shelton
Caffey	Graham	Porter	Wilson
Crawford	Green	Roberts	Wyatt
deGraffenried			

—24

Nays: **—0**

The Bill:

H. 1124. To provide for the compensation of the coroner of Cherokee County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Eddins	Jones	Rutledge
Archer	Farmer	Kendall	Turner
Berryman	Gaither	Leonard	Webb
Caffey	Godfrey	Moses	Word
Crawford	Graham	Roberts	Wyatt
deGraffenried			

—24

Nays: **—0**

The Bill:

H. 1121. To alter, rearrange and add to the limits of the City of Chickasaw, Alabama and to describe the area added to the said limits of the said City.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Gaither	Jones	Samford	
Archer	Givhan	Kendall	Shelton	
Barnett	Golson	Leonard	Turner	
Caffey	Graham	Roberts	Wilson	
Crawford	Green	Robison	Word	
deGraffenried				—24

Nays: —0

The Bill:

H. 1122. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison	
Andrews	Eddins	Jones	Rutledge	
Archer	Farmer	Leonard	Turner	
Barnett	Godfrey	Moses	Webb	
Caffey	Golson	Porter	Word	
Cooper	Green	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1125. To authorize the court of county commissioners board of revenue or other like governing body of Conecuh County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Conecuh County public highway and traffic fund.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Roberts	
Andrews	Farmer	Haltom	Rutledge	
Archer	Gaither	Hines	Samford	
Berryman	Givhan	Kendall	Shelton	
Caffey	Golson	Moses	Webb	
Clark	Graham	Porter	Wilson	
deGraffenried				—24

Nays: —0

The Bill:

H. 1131. To amend Act No. 243, House Bill 685, approved August 13, 1957, (Acts of Alabama 1957, Page 308), Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county body may levy an additional county privilege or excise tax on tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison	
Andrews	Eddins	Haltom	Rutledge	
Archer	Gaither	Hines	Shelton	
Caffey	Givhan	Kendall	Turner	
Clark	Golson	Moses	Wilson	
Cooper	Graham	Roberts	Word	
Crawford				—24

Nays: —0

The Bill:

H. 1005. To amend further Section 1 of Act No. 201, approved July 13, 1951, entitled "An Act relating to Franklin County; authorizing the sheriff to appoint a deputy sheriff in addition to the deputies heretofore provided by law, fixing his compensation, and providing that the same shall be paid by the county", in relation to the amount of such deputy's compensation.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Farmer	Hines	Rutledge	
Archer	Givhan	Jones	Shelton	
Caffey	Godfrey	Kendall	Turner	
Clark	Golson	Moses	Word	
Cooper	Graham	Roberts	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1030. To levy in Madison County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consump-

tion in such county of cirgarettes; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes; to provide that the tax shall be in addition to all other taxes now levied by law except license or privilege taxes levied on the sale of cigarettes by the municipalities in such county, which are hereby repealed; to require the affixing of stamps to the packages of cigarettes to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provided for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Archer	Eddins	Haltom	Samford	
Berryman	Farmer	Hines	Turner	
Caffey	Gaither	Leonard	Webb	
Clark	Givhan	Porter	Word	
Cooper	Godfrey	Roberts	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 1016. To amend Act No. 31, H. 256, approved June 17, 1957 (Acts of Alabama 1957, p. 77), entitled "An Act relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the couny and officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including DeKalb County's proportionate share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicle license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Barnett	Cooper	deGraffenried
Andrews	Caffey	Crawford	Dumas

Eddins	Haltom	Roberts	Turner
Gaither	Hines	Robison	Wilson
Godfrey	Kendall	Rutledge	Word
Graham	Porter	Shelton	Wyatt
Green			

—24

Nays: —0

The Bill:

H. 1019. To apply in and only in counties in Alabama now having or which may hereafter have a population of 500,000 or more, according to the last or any future federal census; to further provide the manner of entering payment or satisfaction on the margin of the record of the mortgage or deed of trust or other lien; to authorize and empower the Judge of Probate to delegate the authority and power to any clerk of such probate court to enter on the margin of the record the payment or satisfaction of the mortgage, deed of trust, or other lien, where the judge of probate is named in any power of attorney instrument duly recorded, authorizing such entry of satisfaction, and to sign or stamp the name of such judge as attorney in fact to such marginal satisfaction record; and to authorize the collection of a fee of fifty cents for each such entry on the margin of each such document record.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge
Andrews	Farmer	Kendall	Shelton
Archer	Gaither	Leonard	Turner
Barnett	Godfrey	Moses	Webb
Clark	Graham	Roberts	Wilson
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1020. To provide that in any county of the state having a population of 500,000 or more according to the last or any subsequent federal census, any person who, in payment of any privilege or license tax due the state or the county, issues a worthless check, or a check which is not paid by the bank upon which it is drawn shall be subject to a penalty, and to provide that any license procured by or through such check shall be void and that no other business license shall be issued to the person drawing such check until the said penalty has been paid.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Berryman	Crawford	Givhan
Archer	Caffey	Dumas	Godfrey
Barnett	Cooper	Farmer	Golson

Green	Kendall	Robison	Webb	
Haltom	Moses	Rutledge	Word	
Hines	Porter	Turner	Wyatt	
Jones				—24

Nays: —0

The Bill:

H. 1022. To authorize and empower the Judge of Probate and the Chief Clerk of the Probate Court to install and maintain improved systems of indexing in all probate courts in counties having a population of not less than 500,000 inhabitants according to the last or any subsequent federal census; to authorize the indexing of all estates and other cases in alphabetical order and to use card or strip indexes; and to authorize direct and reverse index of all real property instruments, and direct and reverse index of all personal property instruments and miscellaneous instruments, in alphabetical order; and to authorize the use of card or strip indexes in the office of the judge of probate in such counties; and to authorize the county commission or like governing body to approve of the purchase of all equipment, files and supplies necessary to install and maintain such index systems.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Samford	
Andrews	Farmer	Hines	Shelton	
Archer	Gaither	Jones	Webb	
Berryman	Godfrey	Moses	Wilson	
Caffey	Graham	Porter	Word	
Clark	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1028. To amend Section 1 of Act No. 10, S. 3, approved July 19, 1950 (Acts 1950-1951, Vol. I, p. 27), an act relating to the compensation and duties of the superintendent of education of Limestone County.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Archer	Dumas	Haltom	Samford	
Barnett	Farmer	Jones	Turner	
Berryman	Givhan	Kendall	Wilson	
Caffey	Godfrey	Moses	Word	
Cooper	Golson	Porter	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1088. To abolish the Etowah County Law Library Fund which was created by Act No. 482, H. 1036, approved August 30, 1949; to provide for the transfer of any moneys in such abolished fund to the Etowah County Law Library Fund established pursuant to Act No. 197, H. 596, which became law on August 1, 1955, and to authorize the expenditure of such moneys after being so transferred.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Samford
Barnett	Eddins	Kendall	Turner
Caffey	Gaither	Leonard	Webb
Clark	Givhan	Porter	Wilson
Cooper	Golson	Roberts	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 1025. Relating to Jefferson County, Alabama; to provide for levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, such tax to be measured by the gross receipts or gross proceeds of such businesses; to provide for levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the license tax; specifying property the use, storage or other consumption of which is exempt from the excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of said taxes, and the enforcement of the provisions of this Act; making applicable to the taxes herein levied and adopting certain provisions of Act No. 100, H. B. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama, as amended; providing for the filing of reports with and the payment of tax to the Director of the Department of Revenue of Jefferson County, Alabama, and providing for the enforcement of this Act by said Director of Revenue of Jefferson County, Alabama; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said sales price or admission fee; providing for the use of the revenues from said taxes; providing for referenda or elections of the qualified electors for making the taxes applicable to said county; and providing for the termination of the taxes imposed subject to referenda or elections of the qualified electors of said county.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 1025

Amend Section 18 of H. B. 1025 by deleting from the second paragraph of Section 18 the words "City of Birmingham" and putting in

their place the following: "municipalities in the county pro rata on a population basis."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Golson	Moses	Wilson
Clark	Graham	Porter	Word
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Golson	Moses	Wilson
Clark	Graham	Porter	Word
Cooper	Green	Robison	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 993. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison
Andrews	Farmer	Haltom	Samford
Barnett	Gaither	Hines	Turner
Berryman	Godfrey	Leonard	Webb
Clark	Golson	Moses	Word
Cooper	Graham	Porter	Wyatt
Crawford			

—24

Nays: —0

The Bill:

H. 1003. To levy additional county privilege license and excise taxes for public school purposes in Franklin County, such taxes to paral-

lel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 216, H. 397, approved August 8, 1955 (Acts 1955, vol. I, pp. 523-525).

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Givhan	Moses	Wilson
Caffey	Graham	Roberts	Word
Cooper	Green	Robison	Wyatt
Crawford			—24

Nays: —0

The Bill:

H. 1118. Relating to Mobile County: To provide further for the distribution of fines and forfeitures in certain cases.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Robison
Andrews	Farmer	Hines	Rutledge
Archer	Gaither	Kendall	Samford
Barnett	Golson	Leonard	Shelton
Caffey	Graham	Porter	Webb
Cooper	Green	Roberts	Wilson
Crawford			—24

Nays: —0

The Bill:

H. 1119. To alter, rearrange and add to the limits of the City of Chickasaw, Alabama and to describe the area added to the said limits of the said city.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Cooper	Farmer	Green
Andrews	Crawford	Gaither	Haltom
Barnett	deGraffenried	Golson	Hines
Caffey	Dumas	Graham	Jones

Leonard	Rutledge	Shelton	Webb	
Moses	Samford	Turner	Wyatt	
Roberts				—24

Nays: —0

The Bill:

H. 1072. To alter and extend the boundaries of the City of Birmingham so as to include within the city limits of the City of Birmingham part of the territory located within Section 34, Township 16, Range 2 West; Section 35, Township 16 Range 2 West; Section 26, Township 16, Range 2 West; Section 23, Township 16, Range 2 West; Section 24, Township 16, Range 2 West; Section 13, Township 16, Range 2 West; Section 7, Township 16, Range 1 West; Section 6, Township 16, Range 1 West; Section 1, Township 16, Range 2 West; Section 12, Township 16, Range 2 West; Section 11, Township 16, Range 2 West; Section 14, Township 16, Range 2 West; Section 15, Township 16, Range 2 West; Section 22, Township 16, Range 2 West and Section 27, Township 16, Range 2, in Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Farmer	Jones	Samford	
Barnett	Givhan	Leonard	Turner	
Caffey	Golson	Moses	Webb	
Clark	Graham	Roberts	Word	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1092. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 300,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the circuit court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor

or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit and shall not be charged against the city, the trustees of the pension system or against the pension fund, and to provide the funds out of which any such solicitor's fee allowed shall be payable; to provide the factors which shall be taken into consideration in determining the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge	
Andrews	Farmer	Kendall	Shelton	
Archer	Gaither	Leonard	Turner	
Berryman	Golson	Porter	Wilson	
Caffey	Graham	Roberts	Word	
Cooper	Green	Robison	Wyatt	
Crawford				—24

Nays: —0

The Bill:

H. 1076. To amend Section Two of the Act approved March 23, 1955 (Act No. 8, H. 7, Acts of Alabama 1955, Page 114) relating to the office of Chief Clerk to the Register of the Circuit Court in Equity of Madison County, Alabama.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Archer	Gaither	Hines	Samford	
Berryman	Givhan	Jones	Turner	
Caffey	Golson	Leonard	Webb	
Clark	Graham	Moses	Wilson	
Crawford	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 1089. To amend Section 6 of Act No. 393, H. 681, approved July 14, 1931, an act that abolished the county board of education of Geneva County and created in lieu thereof a county board of school commissioners (Local Acts 1931, pages 175, 176), in relation to the compensation of school commissioners.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge	
Andrews	Eddins	Hines	Samford	
Barnett	Farmer	Leonard	Webb	
Clark	Golson	Porter	Wilson	
Cooper	Graham	Roberts	Word	
Crawford	Green	Robison	Wyatt	
deGraffenried				—24

Nays: —0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Wyatt, further consideration of the Bill, H. B. 1081, was indefinitely postponed by the Senate.

On motion of Mr. Jones, further consideration of the Bill, H. B. 980, was indefinitely postponed by the Senate.

On motion of Mr. Farmer, further consideration of the bill H. B. 1026, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 873. To amend Section 15 of Act No. 75 adopted at the First Special Session of the Legislature of Alabama of 1959 pertaining to records of the proceedings of and resolutions and ordinances adopted by Boards of Commissioners in certain cities having the commission form of government.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Roberts	
Andrews	Farmer	Hines	Rutledge	
Barnett	Givhan	Jones	Shelton	
Clark	Golson	Kendall	Webb	
Cooper	Graham	Leonard	Wilson	
Crawford	Green	Porter	Wyatt	
deGraffenried				—24

Nays: —0

The Bill:

H. 96. To amend further Section 70 of Title 12, Code of Alabama (1940), which relates to the State's participation in salaries of county engineers.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Berryman	Cooper	Dumas
Andrews	Caffey	Crawford	Eddins
Barnett	Clark	deGraffenried	Farmer

Gaither	Haltom	Porter	Shelton
Givhan	Hines	Roberts	Turner
Godfrey	Jones	Rutledge	Webb
Golson	Kendall	Robison	Wilson
Green	Leonard	Samford	Word

—31

Nays: —0

The Bill:

H. 424. To further amend the Farm-to-Market Road Act of 1943 (Act No. 329, approved July 1, 1943) by amending Sections 1, 2, and 13 of said Act as amended by Act No. 41, approved June 1, 1945 (1945 Acts, page 47); by amending Sections 3 and 7 of said Act as amended by Act No. 831, approved September 19, 1953 (1953 Acts, page 1119); and by amending Section 11 of said Act as amended by Act No. 14 approved August 11, 1950 (Fourth Special Session 1950 Acts, page 55).

Was read a third time at length and passed.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Hines	Samford
Barnett	Gaither	Jones	Shelton
Berryman	Givhan	Kendall	Turner
Clark	Godfrey	Leonard	Webb
Cooper	Golson	Porter	Wilson
Crawford	Graham	Roberts	Word
deGraffenried	Green	Robison	

—30

Nay: Mr. Caffey —1

The Bill:

H. 190. To propose an amendment to the Constitution forbidding enactment of a law placing responsibility for construction and maintenance of county roads in the State Highway Department or other state agency unless authorized by a vote of the qualified electors of the county.

Was read a third time at length, as required by the Constitution, and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Robison
Andrews	deGraffenried	Green	Rutledge
Archer	Eddins	Haltom	Samford
Barnett	Farmer	Hines	Shelton
Berryman	Gaither	Jones	Turner
Caffey	Givhan	Kendall	Webb
Clark	Godfrey	Leonard	Wilson
Cooper	Golson	Roberts	Word

—31

Nays: —0

REPORT FROM RULES

Mr. Archer, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 43. Creating a joint legislative interim committee on agriculture, prescribing its powers and duties, etc.

On motion of Mr. Crawford, said Resolution was adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Berryman, Farmer and Crawford.

BILLS ON THIRD READING RESUMED

The Bill:

H. 775. To amend Section 125 of Title 12, Code of Alabama 1940, which relates to the interest rate and maturity of temporary loans made by county governing bodies in anticipation of taxes.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Haltom	Rutledge
Archer	Eddins	Hines	Samford
Barnett	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Clark	Godfrey	Leonard	Webb
Cooper	Graham	Porter	Wilson
Crawford	Green	Robison	Word

—27

Nays: —0

The Bill:

H. 1116. To make an additional appropriation for payment of expenses of the Legislature.

Was read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Eddins	Hines	Samford
Andrews	Farmer	Jones	Turner
Barnett	Gaither	Kendall	Webb
Berryman	Godfrey	Leonard	Wilson
Cooper	Graham	Porter	Word
Crawford	Green	Robison	Wyatt
deGraffenried	Haltom	Rutledge	

—26

Nay: Mr. Caffey —1

RESOLUTION

Mr. Godfrey offered the following Senate Joint Resolution, to-wit:

S. J. R. 46. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That the bill, H. B. 700, which has passed both Houses, be designated the "Godfrey, Meade and Harris Bill."

And on Motion of Mr. Godfrey, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION TO RECONSIDER

Mr. Barnett moved that the Senate reconsider the vote by which it adopted the Resolution, S. J. R. 43.

BILLS ON THIRD READING RESUMED

The Bill:

H. 717. To amend Act No. 653, H. 489, entitled "An Act To regulate the teaching and practice of cosmetology; requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor," approved September 20, 1957 (Acts of Alabama 1957, page 981).

was taken up.

Mr. Archer offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 717

On Page 2, in Paragraph (k) after the first sentence ending with the word "Act" insert the following sentence:

Either of such establishments shall be entirely distinct and separated from any living quarters, but may be housed under the same roof.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Crawford	Godfrey	Robison
Andrews	deGraffenried	Golson	Rutledge
Archer	Dumas	Green	Samford
Barnett	Eddins	Hines	Turner
Berryman	Farmer	Kendall	Webb
Caffey	Gaither	Leonard	Wilson
Clark	Givhan	Porter	Word
Cooper			

—28

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Porter	
Andrews	Crawford	Godfrey	Robison	
Archer	deGraffenried	Graham	Rutledge	
Barnett	Dumas	Haltom	Samford	
Berryman	Eddins	Hines	Webb	
Caffey	Farmer	Kendall	Wilson	
Clark	Gaither	Leonard	Word	
				—27

Nays: —0

The Bill:

H. 802. To authorize the state board of education and the boards of trustees of all state institutions to make investments of endowment funds and other funds held for investment in the same manner as the Teachers Retirement System of Alabama is authorized to make.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Robison	
Andrews	Eddins	Haltom	Rutledge	
Barnett	Farmer	Hines	Samford	
Berryman	Gaither	Jones	Shelton	
Caffey	Givhan	Kendall	Turner	
Clark	Godfrey	Leonard	Webb	
Cooper	Golson	Moses	Wilson	
Crawford	Graham	Porter	Word	
deGraffenried				—32

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 719. Relating to the City of Mobile; to provide for a separate Mobile Urban Renewal Agency to plan or carry out any redevelopment or urban renewal project in such municipality if the governing body of the municipality by resolution declares that there is need for such Agency; to provide the number, method of appointment and terms of office of the commissioners of said Mobile Urban Renewal Agency; to provide the powers of said Mobile Urban Renewal Agency; to provide that such Urban Renewal Agency shall not have authority to construct or operate any dwelling accommodations except that it may temporarily operate dwellings and real property acquired in a project area pending disposition; to provide that any existing municipal housing authority of said City shall not, after appointment of the Commissioners of said Mobile Urban Renewal Agency, have power to plan or carry out any redevelopment project or urban renewal project except as stated in this Act; to provide for the transfer of all assets and liabilities in connection with an existing project which is taken over by said Mobile Urban Renewal Agency; to supplement

Title 25 of the Code of Alabama of 1940, relating to Housing as amended and supplemented by any Acts of the Legislature of Alabama heretofore enacted, including the following: Act No. 614 of the General Acts of 1939, approved July 10, 1940; Act No. 466 of the General Acts of 1943, approved July 7, 1943; Act No. 541 of the General Acts of 1943, approved July 7, 1943; Act No. 490 of the General Acts of 1949, approved August 30, 1949; Act No. 491 of the General Acts of 1949, approved August 30, 1949; Act No. 193 of the General Acts of 1951, approved July 9, 1951; Act No. 776 of the General Acts of 1951, approved September 11, 1951; Act No. 590 of the General Acts of 1953, approved September 11, 1953; Act No. 553 of the General Acts of 1955, approved September 9, 1955; Act No. 554 of the General Acts of 1955, approved September 9, 1955; to repeal any act or law inconsistent herewith; and to provide that if any portion of this act is held unconstitutional, such holding shall not affect the other parts thereof:

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1036. To supplement the state salary payable to circuit judges by payments from the county treasury in all judicial circuits composed of only one county which has a population of not less than 65,000 nor more than 75,000, according to the most recent federal decennial census.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1031. Providing further for the election and organization of the council in all cities having a population of not less than 14,000 nor more than 19,000, according to the last or any subsequent federal decennial census, and operating under the mayor-council form of government; providing for the election of councilmen by place and number; and prescribing additional qualifications for candidates seeking election to such council.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1025. Relating to Jefferson County, Alabama; to provide for levying a license tax on persons and others engaging in selling tangible

personal property at retail and on persons and others conducting places of amusement in said county, such tax to be measured by the gross receipts or gross proceeds of such businesses; to provide for levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the license tax; specifying property the use, storage or other consumption of which is exempt from the excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of said taxes, and the enforcement of the provisions of this Act; making applicable to the taxes herein levied and adopting certain provisions of Act No. 100, H. B. 94, approved August 18, 1859, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama, as amended; providing for the filing of reports with and the payment of tax to the Director of the Department of Revenue of Jefferson County, Alabama, and providing for the enforcement of this Act by said Director of Revenue of Jefferson County, Alabama; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said sales price or admission fee; providing for the use of the revenues from said taxes; providing for referenda or elections of the qualified electors for making the taxes applicable to said county; and providing for the termination of the taxes imposed subject to referenda or elections of the qualified electors of said county.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1021. To authorize the probate judges of all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent federal decennial census, to destroy or otherwise dispose of certain papers and documents filed for record in his office under certain conditions.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 414. Relating to schools; to provide for a state tenure commission to determine appeal cases under the teacher tenure law, to provide for the appointment of members and their compensation, and to define the jurisdiction of the commission.

Also:

S. 149. Relating to definitions of savings and loan associations; amending Section 211, Title 5, Code of Alabama, 1940, and in clarification of Section 250, Title 5, Code of Alabama, 1940.

Also:

S. 145. Relating to accounts of deceased persons in a Savings and Loan Association. To whom and how paid.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 119. To amend Section 12 of Title 35, Code of Alabama 1940, which relates to military leave for government employees.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 201. To amend Act Number 178, passed by the 1949 Legislature, so as to cause it to read as follows: AN ACT to promote education in this state by authorizing and empowering county governing bodies and the governing bodies of the municipalities in the State of Alabama to undertake research into the history of the State of Alabama, its several counties and municipalities, its coastline and boundaries, and of the territory included therein, its geological deposits, agricultural and marine data, its rivers, streams and harbors, its history from the earliest times and especially during the colonial period, A. D. 1519 to A. D. 1815, and such general historical data and information, and to effect the completion of the translations of such data and information, where such old official records are in foreign languages, and to effect the publication of these records for the free distribution to public libraries, school libraries and to college and university libraries within this state for the further diffusion of knowledge in reference to the history and resources of the State of Alabama and its several counties and municipalities and the encouragement in general of historical work and research into colonial records of the State of Alabama and for the free dissemination of such information, to authorize and empower county governing bodies and the governing bodies of the municipalities to make appropriations of county funds and of municipal funds for such purpose; to empower county governing bodies and the governing bodies of the municipalities to enter into contracts with historical corporations, foundations or associations which are duly incorporated within this State in order to carry out the purpose of this Act.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 49. To provide further for furnishing information of convictions to boards of registrars by requiring justices of the peace, notaries public ex officio justices of the peace, judges of recorders' courts and clerks of all county courts or other courts of record to report the names of persons convicted of crimes disqualifying them from voting; providing a penalty for violations of the Act.

Also:

S. 296. To make appropriations for each of the fiscal years ending September 30, 1960 and September 30, 1961, to the state department of health for its dental program.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 349. To amend Sections 278-283 of Title 55, Code of Alabama 1940, in relation to the public library service.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 175. To amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts Alabama, Regular Session, 1953, p. 549), and to provide the time when the amendment shall become effective.

Also:

S. 178. To amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide laws clerks to be appointed by the presiding judge and the associate judges of the Court of Appeals, to prescribe their duties and fix their compensation" (General Acts Alabama, Regular Session 1953, p. 979, and to provide the time when the amendment shall become effective.

Also:

S. 315. To provide in addition to all other revenues heretofore appropriated to the Division of State Parks, Monuments and Historical Sites the sume of $50,000.00 for each of the fiscal years 1959-60 and 1960-61 from the revenues derived from the sale of sand and gravel and timber and timber products.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 28. To declare illegal the failure on part of all persons soliciting, making, procuring or receiving the same to make disclosure as to any contribution, commitment, acceptance or use of funds, assets or services in aid of the institution or maintenance of any suit or proceeding against the State of Alabama or any official, agency or subdivision thereof with respect to any order or official action of such Authority or to establish immunity or obtain injunction or declaratory action with respect thereto; also to provide criminal penalties for failure to make such disclosure or for wilfully making false statements therein and providing for the enforcement of this Act.

Also:

S. 376. Relating to the fees and compensation of coroners; amending Sections 94 and 95 of Title 11, Code of Alabama 1940.

Also:

S. 86. To amend further Section 34 of Title 61, Code of Alabama 1940, in relation to the time limit for probate of wills.

Also:

S. 160. Relating to cooperative agricultural associations: To amend Section 105 of Title 2 of the Code of Alabama of 1940 which relates to the use of the word "cooperative" in the name of agricultural cooperative associations.

Also:

S. 161. Relating to cooperative agricultural associations: To amend Sections 116, 117 and 118 of Title 2 of the Code of Alabama of 1940 which relate to the organization and management of agricultural cooperative associations such amendments to prescribe the procedure whereby said organizations may amend its declarations of incorporation, by-laws and fill vacancies occurring on boards of directors.

Also:

S. 162. Relating to cooperative agricultural associations: To amend Section 76 of Title 2 of the Code of Alabama of 1940 to authorize Boards of Directors of Agricultural cooperative associations to mortgage real estate owned by such cooperative associations.

HUGH MOSES,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 437. To authorize and create an additional Judge of the Sixth Judicial Circuit of Alabama, to be designated Circuit Judge place number three therein and to provide for his election, jurisdiction, powers, duties, authority and qualifications, to render him liable to all the pains and penalties of other Circuit Judges of the State of Alabama and to provide that such circuit Judge number three shall be ex-officio Judge of all courts in such circuit as to Juvenile and Domestic Relations cases, hearings and proceedings and shall have the supervision and direction of all personnel in the Sixth Judicial Circuit of Alabama as to Juvenile and Domestic Relations and to provide for and fix the salary of such Judge.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 522. To amend Section 3 of an act approved July 9, 1943, creating the Elementary Teachers Scholarship Fund (Act No. 535, S. 371, General Acts 1943, p. 509) so as to provide that funds available to each teachers college for the purpose of making scholarship grants directly may be used instead to match federal funds made available for a like purpose.

Also:

H. 850. To extend the boundary lines of the City of Decatur, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds

vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 291. To provide for the construction, maintenance and repair of streets, roads, drives, and parking areas on the campus of any state institution of higher learning, the Alabama State Hospitals and the Partlow State School.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Cooper	Green	Robison	
Andrews	Crawford	Haltom	Rutledge	
Barnett	deGraffenried	Hines	Samford	
Berryman	Dumas	Jones	Webb	
Caffey	Eddins	Moses	Word	
Clark	Farmer	Porter		—22

Nays: —0

The Bill:

H. 893. To make an appropriation for a tentative or preliminary survey of the Mulberry Fork of the Black Warrior River for the purpose of promoting the development of a waterway system connecting the Tennessee River and the Warrior River in the State of Alabama.

Was read a third time at length and passed.

Yeas 21; Nay 1.

Yeas:

Messrs.:	Clark	Graham	Porter	
Andrews	Cooper	Haltom	Robison	
Archer	Crawford	Hines	Rutledge	
Barnett	deGraffenried	Leonard	Turner	
Berryman	Dumas	Moses	Word	
Caffey	Farmer			—21

Nay: Mr. Eddins —1

The Bill:

H. 563. To permit the county and city boards of education, by their rules and regulations, to provide assistance to residents of their respective districts for instruction on an elementary or secondary level not available to them in public schools within the district.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 563

H. B. 563 is hereby amended by striking out the words "and city" and inserting in lieu thereof the words ", city and independent school district."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Haltom	Rutledge	
Andrews	Crawford	Hines	Samford	
Archer	deGraffenried	Leonard	Turner	
Barnett	Dumas	Moses	Webb	
Berryman	Eddins	Porter	Wilson	
Caffey	Farmer	Robison	Word	
Clark	Golson			—25

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Crawford	Haltom	Rutledge	
Andrews	deGraffenried	Hines	Samford	
Archer	Dumas	Kendall	Shelton	
Barnett	Eddins	Leonard	Turner	
Berryman	Farmer	Moses	Webb	
Caffey	Golson	Porter	Wilson	
Clark	Green	Robison	Word	
Cooper				—28

Nays: —0

The Bill:

H. 831. To provide for grants in aid for educational purposes and for the administration and enforcement of the Act.

was taken up.

Mr. Dumas offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 831

House Bill 831 is hereby amended as follows:

(1) In section 3, first sentence

In section 4, first sentence

In section 5, third sentence, and also the last sentence, where the words "city or county board of education", or "county or city board of education" appear together, strike out such words and insert in lieu thereof: "city, county or independent school district board of education".

(2) In section 5, first sentence, after the words "city or county" and before the words "superintendent of education", insert the words: "or independent school district".

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Porter
Andrews	deGraffenried	Graham	Robison
Archer	Dumas	Haltom	Samford
Barnett	Eddins	Hines	Shelton
Caffey	Farmer	Kendall	Turner
Clark	Gaither	Leonard	Webb
Cooper	Godfrey	Moses	Wilson

—27

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 2.

Yeas:

Messrs.:	deGraffenried	Graham	Porter
Andrews	Eddins	Haltom	Roberts
Archer	Farmer	Hines	Robison
Barnett	Gaither	Jones	Rutledge
Clark	Givhan	Kendall	Samford
Cooper	Godfrey	Leonard	Wilson
Crawford	Golson	Moses	Word

—27

Nays: Messrs.: Caffey and Dumas —2

The Bill:

H. 724. To amend Sections 92 and 117 of Title 17 of the Code of Alabama of 1940 so as to authorize any county or city or other political subdivision of the state to authorize and direct the use of voting machines for registering or recording and computing the vote at all elections held in such county or city or other political subdivision or portion of any thereof without the requirement of submitting the question of the authorization or installation of voting machines to a vote of the qualified electors of such county, city, or other political subdivision, and so as to make the pertinent and necessary laws pertaining to the use of voting machines in counties also apply to the use of voting machines in any municipality or other political subdivision in which voting machines may be adopted.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Roberts
Barnett	Dumas	Haltom	Robison
Berryman	Farmer	Hines	Rutledge
Caffey	Gaither	Jones	Shelton
Clark	Givhan	Kendall	Turner
Cooper	Godfrey	Leonard	Webb
Crawford	Golson	Porter	Word

—27

Nays: —0

The Bill:

H. 725. To authorize each county in this state, in which voting machines may now or hereafter be authorized or required to be used in the conduct of elections, to sell and issue from time to time interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring or providing voting machines for the conduct of elections in such county; authorizing each such county to pledge and use, for payment of the principal of and interest on such warrants and certificates, so much as may be necessary for such purpose of the ½ of 1% ad valorem tax which such county is now authorized to levy without reference to its purpose, and specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Green	Rutledge
Barnett	Eddins	Haltom	Samford
Berryman	Farmer	Hines	Shelton
Caffey	Gaither	Jones	Turner
Clark	Givhan	Porter	Wilson
Cooper	Godfrey	Roberts	Word

—27

Nays: —0

The Bill:

H. 733. To amend further Section 361 of Title 17, Code of Alabama 1940, in relation to single shot voting for the nomination or election of electors for president and vice president of the United States.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Crawford	Golson	Roberts
Andrews	deGraffenried	Graham	Robison
Barnett	Dumas	Green	Turner
Berryman	Farmer	Haltom	Webb
Caffey	Gaither	Hines	Wilson
Clark	Givhan	Jones	Word
Cooper	Godfrey	Porter	

—26

Nays: —0

RESOLUTION

Messrs. Golson, Wyatt, Cooper, Green and Roberts offered the following Senate Joint Resolution, to-wit:

S. J. R. 47. RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be a joint legislative interim committee to study the automobile industry and the operations thereof in this State. The committee shall be composed

of four members of the House and three members of the Senate. The committee shall conduct such hearings and make such inquiries as they may consider necessary to provide information to the Legislature. They shall report their findings, conclusions, and recommendations to both Houses on or before the 5th day of the 1961 regular session.

2. The committee shall select a chairman and vice-chairman from among their own number and the committee shall meet at the call of the chairman or a majority of the committee. Members shall be entitled to their legislative pay and expenses for each day they attend committee meetings or are otherwise engaged on committee business.

3. The committee shall have power to compel the attendance of witnesses in the production of books and papers by means of legal process, and to enlist the aid of courts of competent jurisdiction in the enforcement of such power. The committee may also utilize the services, facilities, personnel, and resources of the Legislative Reference Service in the performance of its duties.

4. The compensation and expenses of committee members, as well as the compensation of committee employees and the other expenses incurred by the committee in performing their function, shall be paid from funds appropriated for payment of expenses of the Legislature, on requisitions signed by the committee chairman. Provided, that the total expenditures made by the committee shall not exceed $10,000.

Which was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 466. Relating to seafoods; providing for owners of private oyster reefs, beds or bottoms, or the lessees thereof, to use mechanical devices, including mechanical rake dredges, at any time, to cultivate and harvest or to remove their live oysters, under certain prscribed conditions.

was taken up.

The Standing Committee on Forestry and Conservation reported the following substitute for the bill, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 466

A BILL
TO BE ENTITLED
AN ACT

Relating to seafoods; providing for owners of private oyster reefs, beds or bottoms, or lessees thereof, to use mechanical devices, including mechanical rake dredges, at any time, to cultivate and harvest or to remove their live oysters, under certain prescribed conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. Owners of private oyster reefs, beds, or bottoms, and the lessees of such reefs, beds or bottoms, may use any mechanical means at their disposal and at any time between the hours of sunrise and sunset, including the use of mechanical rake dredges, to cultivate and harvest, or remove live oysters of any size upon or from such

grounds. But such a person shall first obtain a dredge license as provided in Section 140 of Title 8, Code of Alabama 1940, as heretofore or hereafter amended, which the director of conservation shall issue if the applicant pays the required fee and posts bond payable to the state department of conservation, in the penal sum of one thousand dollars, conditioned upon his faithful and strict observance of all statutes and regulations relating to the use of such mechanical devices in taking live oysters; provided, such license may be revoked by the director of conservation if any condition of the bond is breached, and the director may thereafter refuse to issue a new license to such person.

Section 2. Such persons operating a private oyster reef, bed or bottom, and in so doing utilizing seed oysters obtained from public reefs, beds or bottoms so designated by the department of conservation, shall be subject to the same laws and regulations controlling the taking of oysters from public reefs, beds or bottoms. Said person engaged in such operations shall file with the department of conservation through its seafood division notice to said department of the location and disposition of said seed oysters on the person's private reef, bed or bottom, and shall conform to all other regulations as specifically prescribed by law or regulation.

Section 3. Should private individuals, companies or corporations desire to purchase seed oysters from the public reefs, beds or bottoms they may do so by paying to the department of conservation the prescribed tax as set by law. Upon purchase of seed oysters by said individual, company or corporation, and upon submission of accurate records as to the location or site of planting of said oysters the operator of said oyster bed, reef or bottom may operate said reef, bed or bottom in conformance with section one of this act. The Department of Conservation shall, however, not sell to said individual, company or corporation, additional seed oysters taken from public reefs, beds or bottoms for a period of not less than three (3) calendar years, for replanting said individuals private reefs, beds or bottoms where subject seed oysters have been planted under the conditions set forth in this section.

Section 4. The taking of live oysters by means of rake dredges as provided for in this Act shall be under the supervision of the director of conservation and all rights granted to any person, firm or corporation by the provisions of this act may be exercised only after written notice shall have been given in each instance to the Division of Seafoods by the person, firm or corporation desiring to use rake dredges as provided herein.

Section 5. Should the private individual, firm or corporation operating under the conditions set forth in section 3, or any of the permittees of said individual, firm or corporation, be found guilty of harvesting undersize oysters as provided for by regulations governing the harvesting of oysters from public beds, bottoms or reefs, on any beds, bottoms or reefs belonging to another individual, firm or corporation or on a public reef, bottom or bed, the conditions and privileges set forth in section 3 of this act shall be voided and withdrawn to said individual, firm or corporation and shall not be renewed for a period of one (1) calendar year from the date of conviction of said individual, firm or corporation or any of its permittees.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Eddins	Green	Robison
Archer	Farmer	Haltom	Rutledge
Barnett	Gaither	Hines	Samford
Berryman	Givhan	Jones	Turner
Caffey	Godfrey	Kendall	Webb
Clark	Golson	Moses	Wilson
Dumas	Graham	Porter	Wyatt

—27

Nays: —0

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Samford
Archer	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Turner
Caffey	Givhan	Moses	Webb
Clark	Godfrey	Porter	Wilson
Cooper	Graham	Roberts	Word
Crawford	Green	Rutledge	Wyatt
deGraffenried	Haltom		

—29

Nays: —0

The Bill:

H. 465. To amend Section 10 of an act approved August 17, 1951 (Act No. 476, S. 418, Acts 1951, Vol. I, p. 840) creating within the department of conservation a division to be known as the division of seafoods, in relation to the authority of the director of conservation to make expenditures out of the seafoods fund.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Crawford	Haltom	Robison
Andrews	Eddins	Hines	Samford
Archer	Farmer	Jones	Shelton
Barnett	Gaither	Kendall	Turner
Berryman	Givhan	Moses	Wilson
Caffey	Golson	Porter	Word
Clark	Graham	Roberts	Wyatt
Cooper	Green		

—29

Nays: —0

The Bill:

H. 467. To amend further Section 153 of Title 8, Code of Alabama 1940, making it unlawful to sell oysters under a certain size, etc.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Hines	Rutledge	
Andrews	Eddins	Jones	Samford	
Barnett	Farmer	Kendall	Shelton	
Berryman	Godfrey	Leonard	Turner	
Caffey	Golson	Moses	Webb	
Clark	Graham	Porter	Wilson	
Cooper	Green	Robison	Word	
deGraffenried	Haltom			—29

Nays: —0

The Bill:

H. 464. To provide for the patrolling and protection of private oyster reefs and to provide certain requirements of the owners or lessees of such private oyster reefs.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Rutledge	
Andrews	deGraffenried	Haltom	Turner	
Barnett	Dumas	Hines	Webb	
Berryman	Farmer	Jones	Wilson	
Caffey	Givhan	Leonard	Word	
Clark	Godfrey	Moses	Wyatt	
Cooper	Golson	Robison		—26

Nays —0

The Bill:

H. 337. To appropriate the sum of Seven Thousand Dollars ($7,000.00) out of Seafoods Division Fund in addition to all other appropriations heretofore made for the purpose of paying items of expense and equipment purchases incurred prior to October 1, 1958.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL 337

Amend the title of House Bill 337 by inserting following the words and figures "Seven Thousand Dollars ($7,000.00)" the following words: ", or so much thereof as may be necessary,".

Amend Section 1 of House Bill 337 by inserting following the words and figures "seven Thousand Dollars ($7,000.00)" the following words: ", or so much thereof as may be necessary,".

Mr. Caffey offered the following substitute for the Bill and pending Committee amendment, to-wit:

SUBSTITUTE FOR H. B. 337

A BILL
TO BE ENTITLED
AN ACT

To appropriate the sum of Seven Thousand ninety-nine dollars and eighteen cents ($7,099.18) out of Seafood Division Fund in addition to all other appropriations heretofore made for the purpose of paying items of expense and equipment purchases listed herein incurred prior to October 1, 1958.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other appropriations heretofore made out of the Division of Seafoods Fund, there is hereby appropriated the sum of Seven Thousand ninety-nine dollars eighteen cents ($7,099.18) to be expended by the Division of Seafoods of the Department of Conservation for paying items of expense and equipment purchases incurred prior to October 1, 1958 as follows: Foley Hardware, $980.44; Southport Seafood, $586.06; Coleman Marine, $330.11; Southern Fish and Oyster, $271.50; Graham Seafood, $270.00; Ramos Shrimp Company, $379.75; Loop Appliance Company, $65.00; William Henderson, $1,050.00; Gulf Telephone Company, $161.70; Callaway Seafood Company, $619.60; Van Antwerps, $125.41; Kennedy's Grocery, $407.26; Cooley's Seafood, $171.60; Taylor's Grocery, $182.44; O. J. Bosarge, $117.48; Crow-Pruitt Company, $188.00; G. M. McLeod, $60.00; Brooks Marine Hardware, $77.27; McKee Marine Supply, $307.40; Teague Hardware Company, $82.26; Alabama Hardware Company, $162.55; Mobile Fixture & Equipment Company, $340.80; Dr. W. C. Holmes, $81.74; Klumpp Chevrolet Co., Inc., $80.91. The Director of Conservation is hereby authorized and directed to pay the above listed accounts.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison
Andrews	Dumas	Haltom	Rutledge
Archer	Eddins	Hines	Shelton
Barnett	Farmer	Jones	Turner
Berryman	Gaither	Kendall	Webb
Caffey	Givhan	Leonard	Wilson
Clark	Godfrey	Moses	Word
Cooper	Golson	Porter	Wyatt
Crawford			

—32

Nays: —0

And said Bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Barnett	Clark	deGraffenried
Andrews	Berryman	Cooper	Dumas
Archer	Caffey	Crawford	Eddins

Farmer	Hines	Porter	Turner	
Gaither	Jones	Robison	Webb	
Givhan	Kendall	Rutledge	Wilson	
Godfrey	Leonard	Samford	Word	
Golson	Moses	Shelton	Wyatt	
Haltom				—32

Nays: —0

The Bill:

H. 395. To amend Section 5 of Title 27, Code of Alabama 1940, relating to the adoption of children; providing that a final order of adoption made by a court of competent jurisdiction shall be incontestable for any irregularity, infirmity, or defect in the adoption proceedings after the lapse of five years from the date thereof.

Was read a third time at length and passed.

Yeas 26; Nays 2.

Yeas:

Messrs.:	Crawford	Haltom	Robison	
Andrews	Dumas	Hines	Shelton	
Barnett	Eddins	Jones	Webb	
Berryman	Farmer	Kendall	Wilson	
Caffey	Gaither	Leonard	Word	
Clark	Givhan	Moses	Wyatt	
Cooper	Golson	Porter		—26

Nays: Messrs.: deGraffenried and Turner —2

The Bill:

H. 343. To provide for the management, control and ownership of McDuffie Island in Mobile Bay; to provide for the transfer of deeds and records to the Department of State Docks pertaining to McDuffie Island; to provide for the lease, sale or other disposition of properties on McDuffie Island; to provide for the disposition of all revenues obtained from the sale or other disposition of lands on McDuffie Island; to repeal all laws in conflict with the provisions of this act.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Clark	Givhan	Moses	
Andrews	Cooper	Godfrey	Robison	
Archer	deGraffenried	Haltom	Samford	
Barnett	Dumas	Hines	Word	
Berryman	Eddins	Kendall	Wyatt	
Caffey	Farmer	Leonard		—22

Nays: —0

The Bill:

H. 342. To amend Section 1 of Act No. 455, 1945 General Acts of Alabama, page 689, approved July 6, 1945, entitled an Act "To authorize the Department of State Docks and Terminals of the State of Alabama to carry fire and casualty and public liability insurance of all kinds

and to pay the premiums thereon and to fix the liability in connection therewith and to authorize suits directly against the insurance carriers on any such policies and to repeal all laws, or parts of laws, in conflict herewith."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Godfrey	Moses	
Andrews	Crawford	Golson	Robison	
Archer	deGraffenried	Haltom	Samford	
Barnett	Dumas	Hines	Turner	
Berryman	Eddins	Kendall	Wilson	
Caffey	Farmer	Leonard	Word	
Clark	Givhan			—25

Nays: —0

The Bill:

616. To create the position of Chief Engineer in the State Highway Department; to provide for his appointment, qaualifications, duties, responsibilities and salary; and to provide for the effective date of this Act.

Was read a third time at length and passed.

Yeas 26; Nay 1.

Yeas:

Messrs.:	Dumas	Hines	Samford	
Andrews	Eddins	Kendall	Turner	
Berryman	Farmer	Leonard	Webb	
Clark	Godfrey	Moses	Wilson	
Cooper	Golson	Porter	Word	
Crawford	Graham	Robison	Wyatt	
deGraffenried	Haltom	Rutledge		—26

Nay: Mr. Caffey —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Adams (Tallapoosa), Thomas, Merrill, Cornett, Steagall, Cabiness, Gross, Hain, Hardy, McLendon (Bullock), Gilmer, Albea, Nettles, Goodwyn, Smith (St. Clair), Grouby, Bailey, Faulk, Harvey, Jones (Monroe), Goldthwaite, Oakley, Long (Perry), Boyd, Sullivan, Johnson (J. T. Tom), Solomon, Shumate, Ferguson, Jenkins, Harris, Meade, Smith (Russell), Johnson (Hardaway), Callahan, Franklin, Johnston (Leonard), Camp, Turnham, Daniel, Glass, Ray, Dickson, Taylor, Brooks, Brewer, Brannan, Owens, Salter, Powell, Adams (Houston), Chambers, Pierce, Ingram, Rozelle, Grant, Lee, Jones (Covington), Reynolds (Chambers), McClendon (Chambers), Nichols, Ashworth, Speaks, Casey, Hearn,

Avery, Martin, Ramey, Broadfoot, Pruitt, Branyon, Hankins, Bishop, Bevill, Gilchrist, Sessions, Perry, Edwards, Locke, Morrow, Hawkins, Rast, and Turner:

H. J. R. 113. RESOLVED BY THE LEGISLATURE OF ALABAMA that the two Houses have learned with regret of the departure from the legislative scene of Fred Taylor, who is soon to become city editor of that great daily journal, the Birmingham News. For many years Fred Taylor has applied in his profession an alert and resourceful mind, always insisting upon solid and accurate political reporting. His is a sterling character, its genuineness reflected in his gentlemanly behavior, his high-minded sense of duty to his profession and to the public, his understanding, and his wholesome good fellowship. We wish him every success in his new position.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Kendall, the Rules were suspended and the Resolution, H. J. R. 113, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill, and returns same herewith to the Senate.

S. 197. To appropriate out of any funds in the State Treasury not otherwise appropriated the sum of $50,000.00 for the purpose of renovating and remodeling space in the basement of the State Capital for a restaurant and for the correction of the electrical distribution system for the Capital.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 197, the title of which is set out in the foregoing Message from the House:

HOUSE SUBSTITUTE TO S. B. 197

A BILL
TO BE ENTITLED
AN ACT

To appropriate out of any funds in the State Treasury not otherwise appropriated the sum of $50,000 for the purpose of renovating and remodeling space in the basement of the State Capitol for a restaurant and for the correction of the electrical distribution system for the Capitol.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated, out of any funds in the State Treasury not otherwise appropriated, the sum of $25,000.00

to be used only for the purpose of renovating, repairing and altering space in the basement of the State Capitol Building to provide a cafeteria or other restaurant facility.

Section 2. There is hereby appropriated, out of any funds in the State Treasury not otherwise appropriated, the sum of $25,000.00 to be used only for the purpose of repairing, altering and providing adequate space, equipment, materials, transformers, wiring and other things necessary and incident to the correction and modernization of the supply and distribution of electricity in the State Capitol Building.

Section 3. The above appropriations shall be allotted by the budget officer on the approval of the Director of Finance and the State Building Commission shall approve all plans and specifications for such renovation and alterations. The State comptroller shall issue his warrants not in excess of the $50,000.00 herein appropriated in payment for the work done, from time to time, upon approval of the Director of the State Building Commission. All repair, alteration and renovation shall be contracted pursuant to the provisions of Title 50, Code of Alabama 1940, as amended.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Haltom	Rutledge
Andrews	Farmer	Kendall	Samford
Berryman	Gaither	Leonard	Shelton
Cooper	Godfrey	Moses	Turner
deGraffenried	Golson	Porter	Webb
Dumas	Graham	Robison	Wyatt

—23

Nays: —0

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 49. To provide further for furnishing information of convictions to boards of registrars by requiring justices of the peace, notaries public ex officio justices of the peace, judges or recorders' courts and clerks of all county courts or other courts of record to report the names of persons convicted of crimes disqualifying them from voting; providing a penalty for violations of the Act.

Also:

S. 119. To amend Section 12 of Title 35, Code of Alabama 1940, which relates to military leave for government employees.

Also:

S. 145. Relating to accounts of deceased persons in a Savings and Loan Association. To whom and how paid.

Also:

S. 149. Relating to definitions of savings and loan associations; amending Section 211, Title 5, Code of Alabama, 1940, and in clarification of Section 250, Title 5, Code of Alabama, 1940.

Also:

S. 175. To amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts Alabama, Regular Session, 1953, p. 549), and to provide the time when the amendment shall become effective.

Also:

S. 178. To amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and the associate judges of the Court of Appeals, to prescribe their duties and fix their compensation" (General Acts Alabama, Regular Session 1953, p. 979, and to provide the time when the amendment shall become effective.

Also:

S. 201. To amend Act Number 178, passed by the 1949 Legislature, so as to cause it to read as follows: AN ACT to promote education in this state by authorizing and empowering county governing bodies and the governing bodies of the municipalities in the State of Alabama to undertake research into the history of the State of Alabama, its several counties and municipalities, its coastline and boundaries, and of the territory included therein, its geological deposits, agricultural and marine data, its rivers, streams and harbors, its history from the earliest times and especially during the colonial period, A. D. 1519 to A. D. 1815, and such general historical data and information, and to effect the completion of the translations of such data and information, where such old official records are in foreign languages, and to effect the publication of these records for the free distribution to public libraries, school libraries and to college and university libraries within this state for the further diffusion of knowledge in reference to the history and resources of the State of Alabama and its several counties and municipalities and the encouragement in general of historical work and research into colonial records of the State of Alabama and for the free dissemination of such information, to authorize, and empower county governing bodies and the governing bodies of the municipalities to make appropriations of county funds and of municipal funds for such purpose; to empower, county governing bodies and the governing bodies of the municipalities to enter into contracts with historical corporations, foundations or associations which are duly incorporated within this State in order to carry out the purpose of this Act.

Also:

S. 296. To make appropriations for each of the fiscal years ending September 30, 1960 and September 30, 1961, to the state department of health for its dental program.

Also:

S. 315. To provide in addition to all other revenues heretofore appropriated to the Division of State Parks, Monuments and Historical Sites the sum of $50,000.00 for each of the fiscal years 1959-60 and 1960-61 from the revenues derived from the sale of sand and gravel and timber and timber products.

Also:

S. 349. To amend Sections 278-283 of Title 55, Code of Alabama, 1940, in relation to the public library service.

Also:

S. 414. Relating to schools; to provide for a state tenure commission to determine appeal cases under the teacher tenure law, to provide for the appointment of members and their compensation, and to define the jurisdiction of the commission.

HUGH MOSES,
Chairman

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON
ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 197. To appropriate out of any funds in the State Treasury not otherwise appropriated the sum of $50,000.00 for the purpose of renovating and remodeling space in the basement of the State Capitol for a restaurant and for the correction of the electrical distribution system for the Capitol.

HUGH MOSES.
Chairman

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

BILLS ON THIRD READING RESUMED

The Bill:

H. 827. To amend Section 695, Title 51, Code of Alabama 1940, in relation to an apportionment of the license taxes payable by certain common carriers of passengers.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	deGraffenried	Hines	Turner	
Andrews	Dumas	Kendall	Webb	
Berryman	Eddins	Leonard	Wilson	
Caffey	Farmer	Moses	Word	
Clark	Golson	Robison	Wyatt	
Cooper	Haltom	Samford		—22

Nays: —0

The Bill:

H. 373. To amend Section 171 of Title 7, Code of Alabama 1940, relating to actions for validation of obligations of political subdivisions oi the state.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dumas	Green	Porter	
Berryman	Eddins	Haltom	Robison	
Caffey	Farmer	Hines	Rutledge	
Clark	Givhan	Jones	Samford	
Cooper	Godfrey	Kendall	Turner	
Crawford	Golson	Leonard	Wilson	
deGraffenried	Graham	Moses	Word	
				—27

Nays: —0

RESOLUTION

Messrs. Kendall and Graham offered the following Senate Resolution, to-wit:

S. R. 48. WHEREAS the Secretary of the Senate and the Senate employees under his supervision have administered the details of the work of this House in a highly efficient manner and have consistently extended their full cooperation to the members of the Senate,

BE IT RESOLVED BY THE SENATE OF ALABAMA: That the members of the Senate hereby commend the Secretary of the Senate and the employees under his supervision for the efficient manner in which they have performed their duties; and that the Senators, by means of this resolution, do express their appreciation to the Secretary of the Senate and the employees in his office for their cooperation and assistance during this session of the Legislature.

And on motion of Mr. Kendall, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the following House bill:

H. 337. To appropriate the sum of Seven Thousand Dollars ($7,000.00) out of Seafoods Division Fund in addition to all other appropriations heretofore made for the purpose of paying items of expense and equipment purchases incurred prior to October 1, 1958.

And requests a Committee on Conference. And the Speaker of the House has named as a Committee on the part of the House Messrs. Murphy, Cornett and Brannan.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Caffey, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 337, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Caffey, Webb and Haltom.

MOTION TO RECESS LOST

At 9:47 P. M., Mr. Barnett moved that the Senate take a recess for 30 minutes, which motion was lost.

Yeas 11; Nays 22

Yeas:

Messrs.:	Eddins	Leonard	Wilson	
Andrews	Gaither	Roberts	Word	
Barnett	Kendall	Turner	Wyatt	
				—11

Nays:

Messrs.:	Crawford	Graham	Porter	
Archer	deGraffenried	Green	Robison	
Berryman	Dumas	Haltom	Samford	
Caffey	Farmer	Hines	Shelton	
Clark	Givhan	Jones	Webb	
Cooper	Godfrey	Moses		—22

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 717. To amend Act No. 653, H. 489, entitled "An Act To regulate the teaching and practice of cosmetology; requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor," approved September 20, 1957 (Acts of Alabama 1957, page 981).

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 466. Relating to seafoods; providing for owners of private oyster reefs, beds or bottoms, or lessees thereof, to use mechanical devices, including mechanical rake dredges, at any time, to cultivate and harvest or to remove their live oysters, under certain prescribed conditions.

OAKLEY MELTON, JR.
Clerk

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 831. To provide for grants in aid for educational purposes and for the administration and enforcement of the Act.

OAKLEY MELTON, JR.
Clerk

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 563. To permit the county, city and independent school district boards of education, by their rules and regulations, to provide assistance to residents of their respective districts for instruction on an elementary or secondary level not available to them in public schools within the district.

OAKLEY MELTON, JR.,
Clerk

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills and House Joint Resolution, your signature thereto is requested.

H. 719. Relating to the City of Mobile; to provide for a separate Mobile Urban Renewal Agency to plan or carry out any redevelopment or urban renewal project in such municipality if the governing body of the municipality by resolution declares that there is need for such Agency; to provide the number, method of appointment and terms of office of the commissioners of said Mobile Urban Renewal Agency; to provide the powers of said Mobile Urban Renewal Agency; to provide that such Urban Renewal Agency shall not have authority to construct or operate any dwelling accommodations except that it may temporarily operate dwellings and real property acquired in a project area pending disposition; to provide that any existing municipal housing authority of said City shall not, after appointment of the Commissioners of said Mobile Urban Renewal Agency, have power to plan or carry

out any redevelopment project or urban renewal project except as stated in this Act; to provide for the transfer of all assets and liabilities in connection with an existing project which is taken over by said Mobile Urban Renewal Agency; to supplement Title 25, of the Code of Alabama of 1940, relating to Housing as amended and supplemented by any Acts of the Legislature of Alabama heretofore enacted, including the following: Act No. 614 of the General Acts of 1939, approved July 10, 1940; Act No. 466 of the General Acts of 1943, approved July 7, 1943; Act No. 541 of the General Acts of 1943, approved July 7, 1943; Act No. 490 of the General Acts of 1949, approved August 30, 1949; Act No. 491 of the General Acts of 1949, approved August 30, 1949; Act No. 193 of the General Acts of 1951, approved July 9, 1951; Act No. 776 of the General Acts of 1951, approved September 11, 1951; Act No. 590 of the General Acts of 1953, approved September 11, 1953; Act No. 553 of the General Acts of 1955, approved September 9, 1955; Act No. 554 of the General Acts of 1955, approved September 9, 1955; to repeal any act or law inconsistant herewith; and to provide that if any portion of this act is held unconstitutional, such holding shall not affect the other parts thereof.

Also:

H. 1000. To propose and provide for the submission of an amendment to the Constitution of Alabama amending Amendment XVIII to said constitution, which pertains to Mobile County and the issuance of bonds and the levy of an ad valorem tax by said county for certain specified purposes.

Also:

H. 1001. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County to issue its general obligation bonds not exceeding $3,000,000 in principal amount for capital improvements in said county, including not exceeding $1,000,000 principal amount for public school houses and not exceeding $2,000,000 principal amount for public hospital buildings, said bonds to be secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to said constitution, and authorizing the continued levy and collection of said tax for payment of bonds issued hereunder.

Also:

H. 1013. To amend further Section 5 of Act No. 32, H. 162, approved June 27, 1947 (Local Acts of Alabama, 1947, p. 25), entitled "An Act To establish a Law and Equity Court for Colbert County, Alabama; to define its jurisdiction and powers; to provide for its officers, their appointment, election, terms of office, powers, duties and compensations; to provide that said court shall be open at all times for the trial of causes and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court, County Court, Probate Court, and the Juvenile Court; and to give the said court juvenile and domestic jurisdiction; and to abolish the County Court of Colbert County, Alabama," by providing further for the compensation of the judge of the Colbert Law and Equity Court.

Also:

H. J. R. 109. Relative to naming House Bill 102.

Also:

H. 1027. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

Also:

H. 1029. To amend further Section 3 of Act No. 199, H. 603, approved July 24, 1947 (Local Acts 1947, p. 113), an act to create and establish in Limestone County a court known as "The Limestone County Court" in relation to the compensation of the judge of the court.

Also:

H. 1066. To amend Section 2 of Act No. 57, H. 54, approved February 7, 1956 (Acts of Alabama, Special Sessions 1956, p.86), the act levying a one cent per gallon tax on gasoline, kerosene, and diesel fuel sold, distributed, stored, or used in Blount County, by exempting liquefied petroleum gas, butane, and propane, sold for heating, cooking and lighting purposes.

Also:

H. 1080. To provide for special meetings of the boards of education of all counties having a population of not less than 21,000 nor more than 22,000, according to the most recent federal decennial census.

Also:

H. 1083. To provide a salary for the Coroner of Blount County, and to describe the manner of payment thereof: and making this Act effective upon approval of the voters of the county voting at a referendum.

Also:

H. 1084. Providing for the appointment of a Clerk or secretarial assistant for the County Solicitor of Blount County, and for the payment of the compensation of such clerk or assistant from the County Treasury; and making this Act effective upon the approval of the voters of the County voting at a referendum.

Also:

H. 1085. To alter, rearrange, and extend the boundary line of the City of Cullman, in Cullman County, Alabama.

Also:

H. 1086. To empower the county board of education of Marengo County to authorize the use of school buses for transporting persons to and from certain educational, civic and recreational functions, meetings, gatherings or encampments.

Also:

H. 1093. To apply to counties having a population of 500,000 or more according to the last or any subsequent federal census; to provide

for a study of Judicial practice and procedure and court operation in such counties; to establish and provide for the composition of a "Commission for Judicial Study"; to state the powers, authority and duties of such commission; and to provide for the financing of the work of the Commission.

Also:

H. 1094. To vacate the following described land dedicated or conveyed for a park and to vacate all public interests therein and rights thereto: A strip of land of indefinite width lying Southwesterly of and adjacent to Crestview Subdivision, which subdivision is located in the SE¼ of SW¼, Section 4, Township 19 South, Range 3 West and the NE¼ of NW¼, Section 9, Township 19 South, Range 3 West, and recorded in Deed Book 1241, Page 294, in the Probate Court, Birmingham, Alabama and Bessemer, Alabama. Excepted from the above is a strip of right of way lying west of, parallel to and abutting the west line of said subdivision.

Also:

H. 1095. To provide for the relief of John Hollis Camp out of the County Treasury of Jefferson County, Alabama.

Also:

H. 1096. To provide for and require the reidentification of each qualified elector in all counties in the State having a population of 500,000 or more according to the last or any subsequent Federal census, in 1961, 1971 and in each tenth year thereafter; and to require the Board of Registrars in any such county to take the necessary action to purge the lists of the qualified electors in any such county and to authorize the employment of investigators to assist in purging such lists; and to provide that any person making a wilfully false statement in connection with his reidentification shall be guilty of perjury.

Also:

H. 1097. To provide that any city which may now or hereafter have a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census and which may now or hereafter have in force and effect a comprehensive zoning ordinance shall provide for the appointment of a Zoning Board of Adjustment; and to prescribe the power, jurisdiction and authority of such Board.

Also:

H. 1098. To apply to all counties in the State of Alabama having a population of 500,000 persons or more according to the last or any subsequent federal census, to provide that the governing body of each such county shall have authority to purchase, acquire and maintain one unmarked or undesignated passenger automobile for official use, said car to be serviced by the county and to provide for the payment and expenses of its upkeep.

Also:

H. 1099. To amend Section 2 of an act entitled "an act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future Federal Census, a county-wide Civil Service System, affecting certain personnel whose

compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the County affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof." (Approved July 6, 1945, General Acts of Legislature of Alabama, 1945, page 376.)

Also:

H. 1107. To provide that the County Board of Revenue and Control or its successors in office or other governing body of Marshall County shall, upon the passage and approval of this bill shall have the right, in its judgment, after investigation of the necessity therefor, in the Register's office in said County, to authorize the Register to employ some person who shall have the ability to take shorthand notes and transcribe the same, to work therein, take testimony, transcribe their notes and do any other thing that a Deputy Register could do under the law and to fix the salary of such person at not less than $250.00 nor more than $300.00 per month, to be paid to the Register for such services or to such person as the Register may appoint thereto. Said salary to be paid out of the General Fund of Marshall County.

Also:

H. 1108. To fix the supplemental salaries of Circuit Solicitors in Judicial Circuits in Alabama composed of one county where the population of such county exceeds 94,000 people and is less than 134,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Also:

H. 1110. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Also:

H. 1111. To amend further Act No. 472, H. 956, approved September 15, 1939, an act regulating and defining the powers, duties, and authority of the county superintendent of education of Conecuh County (Local Acts 1939, p. 319), in relation to the compensation and expense allowance of the county superintendent of education; repealing Act No. 152, H. 402, approved June 30, 1953 (Acts of Alabama, 1953 Reg. Sess., vol. I, p. 192) and all conflicting laws.

Also:

H. 1117. Relating to Mobile County: To amend further Section 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of

Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide further for the compensation of the chief clerk in the office of the sheriff.

Also:

H. 1136. To establish an inferior court to be called the Inter--mediate Civil Court of Bessemer; to provide for the Judge, Clerks and other officers, their selection and duties; to provide for the jurisdiction, practice and procedure of said Court; to provide for the transfer of causes from said Court to the circuit court; and to provide for appeals from said Court and regulate the manner of taking same.

Also:

H. 1137. To establish an Inferior Court in Precinct 33 and all other precincts in Jefferson County, Alabama, lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precinct or precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called The Bessemer Common Claims and Criminal Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the method of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolution, the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 373. To amend Section 171 of Title 7, Code of Alabama 1940, relating to actions for validation of obligations of political subdivisions of the state.

Also:

H. 827. To amend Section 695, Title 51, Code of Alabama 1940, in relation to an apportionment of the license taxes payable by certain common carriers of passengers.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the bills of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 113. Relative to congratulating Fred Taylor, who has been recently appointed City Editor of the Birmingham News.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 990. To amend Section 288 of Title 62 of the Code of Alabama of 1940.

Also:

H. 991. To repeal Act No. 430 of the 1957 Regular Session of the Legislature of Alabama, approved September 6, 1957 (Acts of Alabama Regular Session 1957, page 593) entitled "An Act, To Authorize, Regulate and Provide For the payment of supplemental benefits to certain beneficiaries of municipal employees' pension, relief or retirement systems in cities in this state having a population of three hundred thousand or more, according to the last or any subsequent federal decennial census."

Also:

H. 993. To amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923,

page 663, et seq.), as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Also:

H. 1002. To re-establish the County Court of Franklin County in lieu of the Law and Equity Court of Franklin County; abolishing the Law and Equity Court; providing for the transfer of the cases pending therein to the court hereby established or to the circuit court; defining the jurisdiction of the court hereby established; providing it with officers; defining their powers, duties, salaries, compensation, term of office and the manner of their selection, appointment and election; regulating its procedure and process and the return of warrants thereto; and providing for appeals from the court hereby established.

Also:

H. 1003. To levy additional county privilege license and excise taxes for public school purposes in Franklin County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution, and use of the proceeds thereof; providing for the administration and enforcement of the Act; prescribing penalties; and providing that this Act supersedes Act No. 216, H. 397, approved August 8, 1955 (Acts 1955, Vol. I, pp. 523-525).

Also:

H. 1004. Relating to Franklin County; fixing the compensation of members of the board of revenue, court of county commissioners, or other like governing body of Franklin County, and providing for the manner of payment thereof.

Also:

H. 1005. To amend further Section 1 of Act No. 201, approved July 13, 1951, entitled "An act relating to Franklin County; authorizing the sheriff to appoint a deputy sheriff in addition to the deputies heretofore provided by law, fixing his compensation, and providing that the same shall be paid by the county", in relation to the amount of such deputy's compensation.

Also:

H. 1006. Relating to Tallapoosa County: To impose extra, new and additional duties upon members of the Court of County Commissioners and to provide additional compensation for the performance of such duties.

Also:

H. 1016. To amend Act No. 31, H. 256, approved June 17, 1957 (Acts of Alabama 1957, p. 77), entitled "An Act relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the county and officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials

to the State Highway Department of certain funds, including DeKalb County's proportionate share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicle license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws."

Also:

H. 1019. To apply in and only in counties in Alabama now having or which may hereafter have a population of 500,000 or more, according to the last or any future federal census; to further provide the manner of entering payment or satisfaction on the margin of the record of the mortgage or deed of trust or other lien; to authorize and empower the Judge of Probate to delegate the authority and power to any clerk of such probate court to enter on the margin of the record the payment or satisfaction of the mortgage, deed of trust, or other lien, where the judge of probate is named in any power of attorney instrument duly recorded, authorizing such entry of satisfaction, and to sign or stamp the name of such judge as attorney in fact to such marginal satisfaction record; and to authorize the collection of a fee of fifty cents for each such entry on the margin of each such document record.

Also:

H. 1020. To provide that in any county of the State having a population of 500,000 or more according to the last or any subsequent federal census, any person who, in payment of any privilege or license tax due the state or the county, issues a worthless check, or a check which is not paid by the bank upon which it is drawn shall be subject to a penalty, and to provide that any license procured by or through such check shall be void and that no other business license shall be issued to the person drawing such check until the said penalty has been paid.

Also:

H. 1022. To authorize and empower the Judge of Probate and the Chief Clerk of the Probate Court to install and maintain improved systems of indexing in all probate courts in counties having a population of not less than 500,000 inhabitants according to the last or any subsequent federal census; to authorize the indexing of all estates and other cases in alphabetical order and to use card or strip indexes; and to authorize direct and reverse index of all real property instruments, and direct and reverse index of all personal property instruments and miscellaneous instruments, in alphabetical order; and to authorize the use of card or strip indexes in the office of the judge of probate in such counties; and to authorize the county commission or like governing body to approve of the purchase of all equipment, files and supplies necessary to install and maintain such index systems.

Also:

H. 1028. To amend Section 1 of Act No. 10, S. 3, approved July 19, 1950 (Acts 1950-1951, Vol. I, p. 27), an act relating to the compensation and duties of the superintendent of education of Limestone County.

Also:

H. 1030. To levy in Madison County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in such county of cigarettes; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes, and passed on the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes; to provide that the tax shall be in addition to all other taxes now levied by law except license or privilege taxes levied on the sale of cigarettes by the municipalities in such county, which are hereby repealed; to require the affixing of stamps to the packages of cigarettes to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

Also:

H. 1034. To provide for reimbursement of expenses incurred by members of the Board of County Commissioners of Madison County in the performance of their duties.

Also:

H. 1072. To alter and extend the boundaries of the City of Birmingham so as to include within the city limits of the City of Birmingham part of the territory located within Section 34, Township 16, Range 2 West; Section 35, Township 16 Range 2 West; Section 26, Township 16, Range 2 West; Section 23, Township 16, Range 2 West; Section 24, Township 16, Range 2 West; Section 13, Township 16, Range 2 West; Section 7, Township 16, Range 1 West; Section 6, Township 16, Range 1 West; Section 1, Township 16, Range 2 West; Section 12, Township 16, Range 2 West; Section 11, Township 16, Range 2 West; Section 14, Township 16, Range 2 West; Section 15, Township 16, Range 2 West; Section 22, Township 16 Range 2 West and Section 27, Township 16, Range 2, in Jefferson County, Alabama.

Also:

H. 1076. To amend Section Two of the Act approved March 23, 1955 (Act No. 8, H. 7, Acts of Alabama 1955, Page 114) relating to the office of Chief Clerk to the Register of the Circuit Court in Equity of Madison County, Alabama.

Also:

H. 1088. To abolish the Etowah County Law Library Fund which was created by Act No. 482, H. 1036, approved August 30, 1949; to provide for the transfer of any moneys in such abolished fund to the Etowah County Law Library Fund established pursuant to Act No. 197, H. 596, which became law on August 1, 1955, and to authorize the expenditure of such moneys after being so transferred.

Also:

H. 1089. To Amend Section 6 of Act No. 393, H. 681, approved July 14, 1931, an act that abolished the county board of education of Geneva County and created in lieu thereof a county board of school commissioners (Local Acts 1931, pages 175, 176), in relation to the compensation of school commissioners.

Also:

H. 1092. To provide, with respect to any pension system heretofore or hereafter established for the employees of any city of the state having a population of 300,000 or more according to the last or any subsequent federal census, that if there are numerous members of any such pension system, or if there are numerous beneficiaries under any such pension system, whose several rights to benefits or several claims for benefits are affected by the same question of law, then such of them, one or more, as will fairly insure the adequate representation of all, may upon behalf of all file a class suit against the trustees of the pension system to enforce the benefits in the equity division, or on the equity side of the Circuit Court, of that judicial circuit wherein the city is situated; to provide that no such class suit shall be instituted unless one of the parties in the original bill of complaint, either personally or through his attorney, files with the secretary of the trustees of the pension system a demand for payment of the benefit claimed, and that no such class suit shall be filed until ninety days have elapsed between the time of the filing of the said claim with said secretary and the filing of the bill of complaint in the circuit court, or until after the trustees of the pension system or the said secretary of the said trustees, or the city attorney, has advised the claimant or the claimant's attorney that the benefit demanded is denied; to provide for the allowance of a solicitor's fee to the solicitor or solicitors prosecuting the class suit subject to the terms, conditions and limitations prescribed in said Act; to provide that any such solicitor's fee allowed shall not be charged as costs in the suit and shall not be charged against the city, the trustees of the pension system or against the pension fund, and to provide the funds out of which any such solicitor's fee allowed shall be payable; to provide the factors which shall be taken into consideration in determing the amount of any such solicitor's fee; and to provide that Section 63, Title 46, Code of Alabama of 1940, shall not apply so as to authorize the allowance of any attorney's fee or solicitor's fee in any action or suit involving any such pension system of any such city.

Also:

H. 1100. To amend Section 440 of Title 37 of the Code of Alabama, 1940, as last amended.

Also:

H. 1102. To apply in counties which now have or which may hereafter have a population in excess of 500,000 according to the last or any subsequent federal decennial census; providing for the use and disposition of sums in the amount of less than one dollar ($1.00) which come into the hands of the License Commissioner, Director of the Department of Revenue or such other official as may be by law charged with responsibility for the collection and remittance of licenses and license fees, as a result of overpayment for licenses or other fees.

Also:

H. 1118. Relating to Mobile County: To provide further for the distribution of fines and forfeitures in certain cases.

Also:

H. 1119. To alter, rearrange and add to the limits of the City of Chickasaw, Alabama and to describe the area added to the said limits of the said city.

Also:

H. 1121. To alter, rearrange and add to the limits of the City of Chickasaw, Alabama and to describe the area added to the said limits of the said City.

Also:

H. 1122. To provide for and fix the compensation and duties of the Chief Assistant in the office of the Clerk of the Circuit Court of Mobile County, Alabama, in charge of the Criminal Division of said Circuit Court.

Also:

H. 1124. To provide for the compensation of the coroner of Cherokee County.

Also:

H. 1125. To authorize the court of county commissioners, board of revenue or other like governing body of Conecuh County to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation, in whole or in part, from the Conecuh County public highway and traffic fund.

Also:

H. 1126. To alter and extend the boundaries of the City of Leeds, Alabama.

Also:

H. 1131. To amend Act No. 243, House Bill 685, approved August 13, 1957, (Acts of Alabama 1957, Page 308), Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county body may levy an additional county privilege or excise tax on tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

Also:

H. 1132. To provide for the compensation of the county or deputy solicitor in all counties having a population of not less than 20,500 nor

more than 20,830, according to the most recent federal decennial census.

Also:

H. 96. To amend further Section 70 of Title 12, Code of Alabama (1940), which relates to the State's participation in salaries of county engineers.

Also:

H. 190. To propose an amendment to the Constitution forbidding enactment of a law placing responsibility for construction and maintenance of county roads in the State Highway Department or other state agency unless authorized by a vote of the qualified electors of the county.

Also:

H. 424. To further amend the Farm-to-Market Road Act of 1943 (Act No. 329, approved July 1, 1943) by amending Sections 1, 2, and 13 of said Act as amended by Act No. 41, approved June 1, 1945 (1945 Acts, page 47); by amending Sections 3 and 7 of said Act as amended by Act No. 831, approved September 19, 1953 (1953 Acts, page 1119); and by amending Section 11 of said Act as amended by Act No. 14 approved August 11, 1950 (Fourth Special Session 1950 Acts, page 55).

Also:

H. 775. To amend Section 125 of Title 12, Code of Alabama 1940, which relates to the interest rate and maturity of temporary loans made by county governing bodies in anticipation of taxes.

Also:

H. 873. To amend Section 15 of Act No. 75 adopted at the First Special Session of the Legislature of Alabama of 1959 pertaining to records of the proceedings of and resolutions and ordinances adopted by Boards of Commissioners in certain cites having the commission form of government.

Also:

H. 1025. Relating to Jefferson County, Alabama; To provide for levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, such tax to be measured by the gross receipts or gross proceeds of such businesses; to provide for levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the license tax; specifying property the use, storage or other consumption of which is exempt from the excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of said taxes, and the enforcement of the provisions of this Act; making applicable to the taxes herein levied and adopting certain provisions of Act No. 100, H. B. 94, approved August 18, 1959, effective October 1, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama, as amended; providing for the filing of reports with and the payment of tax to the Director of the Department of Revenue of Jefferson County,

Alabama, and providing for the enforcement of this Act by said Director of Revenue of Jefferson County, Alabama; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said sales price or admission fee; providing for the use of the revenues from said taxes; providing for referenda or elections of the qualified electors for making the taxes applicable to said county; and providing for the termination of the taxes imposed subject to referenda or elections of the qualified electors of said county.

Also:

H. 1031. Providing further for the election and organization of the council in all cities having a population of not less than 14,000 nor more than 19,000, according to the last or any subsequent federal decennial census, and operating under the mayor-council form of government; providing for the election of councilmen by place and number; and prescribing additional qualifications for candidates seeking election to such council.

Also:

H. 1036. To supplement the state salary payable to circuit judges by payments from the county treasury in all judicial circuits composed of only one county which has a population of not less than 65,000 nor more than 75,000, according to the most recent federal decennial census.

Also:

H. 1116. To make an additional appropriation for payment of expenses of the Legislature.

Also:

H. 291. To provide for the construction, maintenance and repair of streets, roads, drives, and parking areas on the campus of any state institution of higher learning, the Alabama State Hospitals and the Partlow State School.

Also:

H. 802. To authorize the state board of education and the boards of trustees of all state institutions to make investments of endowment funds and other funds held for investment in the same manner as the Teachers Retirement System of Alabama is authorized to make.

Also:

H. 893. To make an appropriation for a tentative or preliminary survey of the Mulberry Fork of the Black Warrior River for the purpose of promoting the development of a waterway system connecting the Tennessee River and the Warrior River in the State of Alabama.

Also:

H. 724. To amend Sections 92 and 117 of Title 17 of the Code of Alabama of 1940 so as to authorize any county or city or other political subdivision of the state to authorize and direct the use of voting machines for registering or recording and computing the vote at all

elections held in such county or city or other political subdivision or portion of any thereof without the requirement of submitting the question of the authorization or installation of voting machines to a vote of the qualified electors of such county, city, or other political subdivision, and so as to make the pertinent and necessary laws pertaining to the use of voting machines in counties also apply to the use of voting machines in any municipality or other political subdivision in which voting machines may be adopted.

Also:

H. 725. To authorize each county in this state, in which voting machines may now or hereafter be authorized or required to be used in the conduct of elections, to sell and issue from time to time interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring or providing voting machines for the conduct of elections in such county; authorizing each such county to pledge and use, for payment of the principal of and interest on such warrants and certificates, so much as may be necessary for such purpose of the ½ of 1% ad valorem tax which such county is now authorized to levy without reference to its purpose, and specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Also:

H. 733. To amend further Section 361 of Title 17, Code of Alabama 1940, in relation to single shot voting for the nomination or election of electors for president and vice president of the United States.

Also:

H. 1021. To authorize the probate judges of all counties having a population of not less than 500,000 inhabitants, according to the last or any subsequent federal decennial census, to destroy or otherwise dispose of certain papers and documents filed for record in his office under certain conditions.

Also:

H. 395. To amend Section 5 of Title 27, Code of Alabama 1940, relating to the adoption of children; providing that a final order of adoption made by a court of competent jurisdiction shall be incontestable for any irregularity, infirmity, or defect in the adoption proceedings after the lapse of five years from the date thereof.

Also:

H. 465. To amend Section 10 of an act approved August 17, 1951 (Act No. 476, S. 418, Acts 1951, Vol. I, p. 840) creating within the department of conservation a division to be known as the division of seafoods, in relation to the authority of the director of conservation to make expenditures out of the seafoods fund.

Also:

H. 467. To amend further Section 153 of Title 8, Code of Alabama 1940, making it unlawful to sell oysters under a certain size, etc.

Also:

H. 464. To provide for the patrolling and protection of private oyster reefs and to provide certain requirements of the owners or lessees of such private oyster reefs.

Also:

H. 342. To amend Section 1 of Act No. 455, 1945 General Acts of Alabama, page 689, approved July 6, 1945, entitled an Act "To authorize the Department of State Docks and Terminals of the State of Alabama to carry fire and casualty and public liability insurance of all kinds and to pay the premiums thereon and to fix the liability in connection therewith and to authorize suits directly against the insurance carriers on any such policies and to repeal all laws, or parts of laws, in conflict herewith."

Also:

H. 343. To provide for the management, control and ownership of McDuffie Island in Mobile Bay; to provide for the transfer of deeds and records to the Department of State Docks pertaining to McDuffie Island; to provide for the lease, sale or other disposition of properties on McDuffie Island; to provide for the disposition of all revenues obtained from the sale or other disposition of lands on McDuffie Island; to repeal all laws in conflict with the provisions of this act.

Also:

H. 616. To create the position of Chief Engineer in the State Highway Department; to provide for his appointment, qualifications, duties, responsibilities and salary; and to provide for the effective date of this Act.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 252. To authorize the Commissioner of Agriculture and Industries to enter into contract by bond or insurance policy for the protection and benefit of employees of the Department of Agriculture and Industries engaged in work involving inspection and grading of agricultural products at shipping points and receiving centers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Berryman	Cooper	deGraffenried
Andrews	Clark	Crawford	Dumas

Eddins	Haltom	Robison	Webb	
Gaither	Hines	Samford	Wilson	
Givhan	Jones	Shelton	Word	
Golson	Leonard	Turner	Wyatt	
Green	Roberts			—25

Nays: —0

The Bill:

H. 302. To make an appropriation for the relief of Leroy Lackey Company, Inc.

Was read a third time at length and passed.

Yeas 23; Nay 1.

Yeas:

Messrs.:	Givhan	Kendall	Shelton	
Andrews	Golson	Leonard	Turner	
Berryman	Graham	Porter	Webb	
Clark	Green	Roberts	Wilson	
Eddins	Haltom	Robison	Word	
Gaither	Hines	Samford	Wyatt	
				—23

Nay: Mr. Cooper —1

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate.

S. 92. To provide that all municipalities shall have the authority to license businesses which are subject to a state license under Section 1 of Act No. 159, approved June 23, 1945 (General Acts of Alabama 1945, page 200), as amended, for the privilege of engaging in or carrying on such business in the city or town, and that such power and authority shall not be limited or restricted.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

Mr. Turner moved that the Senate non-concur in the following House amendment to the Bill, S. B. 92, the title of which is set out in the foregoing Message from the House.

Mr. Gaither moved as a substitute motion that the Senate concur in said House amendment to the Bill.

SUBSTITUTE FOR SENATE BILL 92

A BILL
TO BE ENTITLED
AN ACT

To provide for the licensing of small loan businesses, as defined by Act No. 159, appproved June 23, 1945 (General Acts of Alabama 1945, page 200), as amended, by the cities and towns of this State.

Be It Enacted by the Legislature of Alabama:

Section 1. Each city and town in this State shall have the power and authority to license small loan businesses, as described by the provisions of Act No. 159, approved June 23, 1945 (General Acts of Alabama 1945, page 200) as amended, for the privilege of engaging in or carrying on such business in such municipality in an amount not exceeding $500 per annum for each place of business; provided, however, cities and towns which were levying a license upon such businesses in excess of $500 per annum on January 1, 1959, are hereby authorized and empowered to levy a license upon such businesses in an amount not exceeding that in effect on January 1, 1959; provided, further, that cities and towns which were on January 1, 1959 levying a license upon such businesses, said licenses being levied on a percentage of the gross interest or gross brokerage fees collected from said business with a stated minimum amount of license, may at the option of said city or town levy each year on each such business a license under the provisions of this act or the license schedule in effect in said city or town on January 1, 1959. The power and authority herein granted shall not be limited or restricted by the provisions of Title 51, Section 429 of the Code of Alabama 1940, as amended.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate Amendment to the bill, H. 337. Said Report of said Conference Committee being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 337

We, your committee of conference appointed to reconcile the disagreement between the two houses concerning the bill, H. B. 337, report as follows:

First, we recommend that the House agree to the Senate substitue and that Section 1 of said Senate substitute then be amended to include the following names and amounts:

Gerald O. Sprinkle, $33.25

A. C. Branyon, Jr., $245.25

Sidney P. Landry, $60.50

Second, we further recommend that the total amount of $7,099.18 in H. B. 337, wherever it appears in said bill, be deleted and in lieu thereof the amount of $7,438.18 be inserted therein.

Conferees on the part of the House

John A. Murphy

L. W. Brannan, Jr.

H. Cornett

Conferees on the part of the Senate

Will G. Caffey, Jr.

E. B. Haltom, Jr.

Douglas S. Webb

And said Bill:

H. 337. To appropriate the sum of Seven Thousand Dollars ($7,000.00) out of Seafoods Division Fund in addition to all other appropriations heretofore made for the purpose of paying items of expense and equipment purchases incurred prior to October 1, 1958.

As amended by the report of the Committee on Conference was again read at length and passed by a vote of Yeas 63; Nays 2.

And said Report of the Committee on Conference is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Caffey, the Senate concurred in and adopted the report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 337, the title of which and said Conference report is set out in the foregoing Message from the House.

Yeas 28; Nay 1.

Yeas:

Messrs.:	Dumas	Green	Roberts
Andrews	Eddins	Haltom	Rutledge
Barnett	Farmer	Hines	Shelton
Berryman	Gaither	Jones	Webb
Caffey	Givhan	Kendall	Wilson
Clark	Golson	Leonard	Word
Cooper	Graham	Porter	Wyatt
deGraffenried			—28

Nay: Mr. Archer —1

And said Bill, as thus amended by the Conference report, was again read at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Archer	Cooper	deGraffenried
Andrews	Caffey	Crawford	Eddins

Farmer	Green	Porter	Turner
Gaither	Haltom	Roberts	Webb
Givhan	Hines	Robison	Wilson
Golson	Jones	Rutledge	Word
Graham	Kendall	Shelton	Wyatt

—27

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 466. Relating to seafoods; providing for owners of private oyster reefs, beds or bottoms, or lessees thereof, to use mechanical devices, including mechancial rake dredges, at any time, to cultivate and harvest or to remove their live oysters, under certain prescribed conditions.

Also:

H. 717. To amend Act No. 653, H. 489, entitled "An Act To regulate the teaching and practice of cosmetology; requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor," approved September 20, 1957 (Acts of Alabama 1957, page 981).

Also:

H. 831. To provide for grants in aid for educational purposes and for the administration and enforcement of the Act.

Also:

H. 563. To permit the county, city and independent school district boards of education, by their rules and regulations, to provide assistance to residents of their respective districts for instruction on an elementary or secondary level not available to them in public schools within the district.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 713. To amend Section 5 of Act No. 247, S. 69, approved July 29, 1953 (Acts of Alabama, 1953, page 311) entitled "An Act relating

to banks and banking; to provide for the retention and disposition of bank records, and for other purposes," by providing for the reproduction of bank records by processes in addition to the microphotographic process and by providing that such reproductions may be retained by banks in lieu of the originals thereof.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Crawford	Green	Rutledge
Andrews	Dumas	Haltom	Samford
Archer	Eddins	Hines	Shelton
Barnett	Farmer	Jones	Turner
Berryman	Gaither	Kendall	Webb
Caffey	Godfrey	Porter	Wilson
Clark	Golson	Roberts	Word
Cooper	Graham	Robison	Wyatt

—31

Nays: —0

The Bill:

H. 813. To validate certain elections held in the year 1958 under the provisions of Articles 6 and 7, Chapter 10, Title 52, Code of Alabama (1940), and Section 216, Article 11, Constitution of Alabama.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dumas	Haltom	Rutledge
Andrews	Eddins	Hines	Samford
Archer	Farmer	Jones	Shelton
Berryman	Gaither	Kendall	Webb
Caffey	Godfrey	Porter	Wilson
Clark	Golson	Roberts	Word
Cooper	Graham	Robison	Wyatt
Crawford	Green		

—29

Nays: —0

The Bill:

H. 183. To amend Section 620 of Title 52, Code of Alabama (1940), which relates to American Legion scholarships, by adding certain institutions of learning to those mentioned therein.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Barnett	deGraffenried	Farmer
Andrews	Cooper	Dumas	Gaither
Archer	Crawford	Eddins	Givhan

Golson	Hines	Porter	Wilson	
Graham	Jones	Robison	Word	
Green	Kendall	Turner	Wyatt	
Haltom	Leonard	Webb		—26

Nays: —0

The Bill:

H. 224. To amend further Section 104 of Title 51, Code of Alabama 1940, in relation to the meetings of boards of equalization to review assessments.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dumas	Kendall	Shelton	
Andrews	Eddins	Leonard	Turner	
Barnett	Farmer	Porter	Webb	
Berryman	Golson	Roberts	Wilson	
Clark	Graham	Robison	Word	
Crawford	Green	Rutledge	Wyatt	
deGraffenried	Hines	Samford		—26

Nays: —0

The Bill:

H. 336. To amend further Section 42 of Title 22, Code of Alabama 1940, in relation to the certification and search of vital records.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Crawford	Graham	Porter	
Andrews	deGraffenried	Green	Roberts	
Barnett	Dumas	Haltom	Rutledge	
Berryman	Eddins	Hines	Samford	
Caffey	Farmer	Jones	Webb	
Clark	Godfrey	Kendall	Wilson	
Cooper	Golson	Leonard	Wyatt	
				—27

Nays: —0

The Bill:

H. 786. To amend further Section 718 of Title 51, Code of Alabama 1940, in relation to liability for collection and payment of the tax on tobacco and tobacco products.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Barnett	Caffey	Cooper
Andrews	Berryman	Clark	Crawford

Dumas	Green	Moses	Shelton	
Eddins	Haltom	Roberts	Turner	
Farmer	Hines	Robison	Webb	
Godfrey	Jones	Rutledge	Wilson	
Golson	Kendall	Samford	Wyatt	
Graham	Leonard			—29

Nays: —0

The Bill:

H. 383. To amend Section 251 of Title 26, Code of Alabama 1940, as last amended, the same relating to penalties for violations of the Unemployment Compensation Law.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	deGraffenried	Hines	Rutledge	
Andrews	Dumas	Jones	Samford	
Archer	Eddins	Kendall	Shelton	
Barnett	Farmer	Leonard	Webb	
Berryman	Gaither	Porter	Wilson	
Caffey	Godfrey	Roberts	Word	
Cooper	Graham	Robison	Wyatt	
Crawford	Haltom			—29

Nays: —0

The Bill:

H. 420. To empower the Commissioner of the State Department of Pensions and Security to authorize the destruction of obsolete records pertaining to the handling and distribution of surplus commodities.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	deGraffenried	Graham	Robison	
Andrews	Dumas	Green	Rutledge	
Barnett	Eddins	Haltom	Shelton	
Berryman	Farmer	Hines	Webb	
Caffey	Gaither	Jones	Wilson	
Clark	Givhan	Kendall	Word	
Cooper	Godfrey	Leonard	Wyatt	
Crawford	Golson	Roberts		—30

Nays: —0

The Bill:

H. 288. To amend Section 11 of Title 27, Code of Alabama 1940, to provided that the judge of probate shall make a report to the bureau of vital statistics, state health department, of the result of proceedings to legitimate bastard children.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	deGraffenried	Green	Robison
Andrews	Dumas	Haltom	Rutledge
Berryman	Eddins	Hines	Turner
Caffey	Givhan	Jones	Webb
Clark	Godfrey	Kendall	Wilson
Cooper	Golson	Leonard	Word
Crawford	Graham	Roberts	Wyatt

—27

Nays: —0

The Bill:

H. 745. To amend Section 2, Item III, B (4) of Act No. 98, approved June 25, 1959, entitled "An Act To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

Was read a third time at length and passed.

Yeas 27; Nay 1.

Yeas:

Messrs.:	Crawford	Graham	Porter
Andrews	deGraffenried	Green	Robison
Barnett	Eddins	Haltom	Rutledge
Berryman	Gaither	Hines	Webb
Caffey	Givhan	Jones	Wilson
Clark	Godfrey	Kendall	Word
Cooper	Golson	Leonard	Wyatt

—27

Nay: Mr. Dumas —1

FURTHER CONSIDERATION OF S. J. R. 43

The Senate proceeded to further consideration of the Resolution, S. J. R. 43. The question was on the motion of Mr. Barnett that the Senate reconsider the vote by which it adopted S. J. R. 43.

Mr. Crawford moved that the Motion to Reconsider be laid on the table.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Meade:
H. J. R. 115. BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the bill H. B. 700, which has passed both Houses, be designated the "Harris, Godfrey and Meade Bill."

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Godfrey, the Rules were suspended and the Senate concurred in and adopted the Resolution, H. J. R. 115, which said resolution is set out in the foregoing Message from the House.

MESSAGE FROM THE GOVERNOR

To the Senate
State Capitol
Montgomery, Alabama

Gentlemen:

As we reach the close of biennial session of 1959, I want to express again my thanks and deep appreciation for the notable record of progress which you have so ably compiled for the benefit of all the people of Alabama. You have made history for our state by faithfully and painstakingly rendering distinctive service in such essential fields as education, roads, health, welfare and small loan regulation, to mention only some of your major accomplishments. It is a record of which I am proud, a record of which I know you Gentlemen also are proud, and it is a record which will long be remembered in gratitude by the men, women and children of Alabama.

I salute you on a tremendous job well done. It has been a great pleasure to work with you throughout the year. I bid you goodbye for a while, good luck, and God bless you all.

Respectfully,

JOHN PATTERSON,
Governor.

JP:rr

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 252. To authorize the Commission of Agriculture and Industries to enter into contract by bond or insurance policy for the protection and benefit of employees of the Department of Agriculture and Industries engaged in work involving inspection and grading of agricultural products at shipping points and receiving centers.

Also:

H. 302. To make an appropriation for the relief of Leroy Lackey Company, Inc.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their

titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 713. To amend Section 5 of Act No. 247, S. 69, approved July 29, 1953 (Acts of Alabama, 1953, page 311) entitled "An Act relating to banks and banking; to provide for the retention and disposition of bank records, and for other purposes," by providing for the reproduction of bank records by processes in addition to the microphotographic process and by providing that such reproductions may be retained by banks in lieu of the originals thereof.

Also:

H. 813. To validate certain elections held in the year 1958 under the provisions of Articles 6 and 7, Chapter 10, Title 52, Code of Alabama (1940), and Section 216, Article 11, Constitution of Alabama.

Also:

H. 183. To amend Section 620 of Title 52, Code of Alabama (1940), which relates to American Legion scholarships, by adding certain institutions of learning to those mentioned therein.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 224. To amend further Section 104 of Title 51, Code of Alabama 1940, in relation to the meetings of boards of equalization to review assessments.

Also:

H. 336. To amend further Section 42 of Title 22, Code of Alabama 1940, in relation to the certification and search of vital records.

Also:

H. 786. To amend further Section 718 of Title 51, Code of Alabama 1950, in relation to liability for collection and payment of the tax on tobacco and tobacco products.

Also:

H. 383. To amend Section 251 of Title 26, Code of Alabama 1940, as last amended, the same relating to penalties for violations of the Unemployment Compensation Law.

Also:

H. 420. To empower the Commissioner of the State Department of Pensions and Security to authorize the destruction of obsolete records pertaining to the handling and distribution of surplus commodities.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Ashworth:

H. J. R. 116. WHEREAS the business of the Regular Session of the Legislature of 1959 has now been completed, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn sine die, and

BE IT FURTHER RESOLVED That a committee of six (6) be appointed, three members of the House to be appointed by the Speaker of the House and three members of the Senate, to be appointed by the Presiding Officer of the Senate, to wait upon the Governor and inform him that the Legislature now stands ready to adjourn sine die and awaits any further message that he might desire to transmit.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Ashworth, Faulk and Meade.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 116, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 288. To amend Section 11 of Title 27, Code of Alabama 1940, to provide that the judge of probate shall make a report to the bureau of vital statistics, state health department, of the result of proceedings to legitimate bastard children.

Also:

H. 745. To amend Section 2, Item III, B (4) of Act No. 98, approved June 25, 1959, entitled "An Act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

Also:

H. 337. To appropriate the sum of Seven Thousand four hundred thirty-eight dollars and eighteen cents ($7,438.18) out of Seafood Division Fund in addition to all other appropriations heretofore made for the purpose of paying items of expense and equipment purchases listed herein incurred prior to October 1, 1958.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 115. Relative to naming House Bill 700.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate bills and Senate Joint Resolutions delivered to the Governor and the Secrtary of State, with the date and hour of delivery, to-wit:

S. J. R. 37 Delivered to the Governor, November 6, 1959, at 11:20 A.M.

S. J. R. 38 Delivered to the Governor, November 6, 1959, at 11:20 A.M.

S. B. 287 Delievered to the Governor, November 6, 1959, at 11:20 A.M.

S. B. 270 Delivered to the Governor, November 6, 1959, at 2.45 P.M.

S. B. 286 Delivered to the Governor, November 6, 1959, at 2:45 P.M.

S. B. 366 Delivered to the Governor, November 6, 1959, at 2:45 P.M.

S. B. 399 Delivered to the Governor, November 6, 1959, at 2:45 P.M.

S. B. 404 Delivered to the Governor, November 6, 1959, at 2:45 P.M.

S. B. 418 Delivered to the Governor, November 6, 1959, at 2:45 P.M.

S. B. 428 Delivered to the Governor, November 6, 1959, at 2:45 P.M.

S. B. 434 Delivered to the Governor, November 6, 1959, at 2:45 P.M.

S. B. 440 Delivered to the Governor, November 6, 1959, at 2:45 P.M.

S. B. 441 Delivered to the Governor, November 6, 1959, at 2:45 P.M.

S. B. 13 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 39 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 111 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 112 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 113 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 123 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 172 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 187 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 350 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 357 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 429 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 439 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 3 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 5 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 53 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 110 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 133 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 192 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 261 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 280 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 282 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 284 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 354 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 358 Delivered to the Governor, November 12, 1959, at 11:40 A.M.

S. B. 427 Delivered to the Secretary of State, November 12, 1959, at 3:45 P.M.

S. B. 335 Delivered to the Governor, November 12, 1959, at 3:47 P.M.

S. B. 425 Delivered to the Governor, November 12, 1959, at 3:47 P.M.

S. B. 433 Delivered to the Governor, November 12, 1959, at 3:47 P.M.

S. B. 459 Delivered to the Governor, November 12, 1959, at 3:47 P.M.

S. B. 460 Delivered to the Governor, November 12, 1959, at 3.47 P.M.

S. B. 461 Delivered to the Governor, November 12, 1959, at 3:47 P.M.

S.J.R. 40 Delivered to the Governor, November 12, 1959, at 3:47 P.M.

S.J.R. 41 Delivered to the Governor, November 12, 1959, at 3:47 P.M.

S. B. 376 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 28 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 86 Delivered to the Governor ,November 12, 1959, at 9:45 P.M.

S. B. 160 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 161 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 162 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 49 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 119 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 145 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 149 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 175 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 178 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 201 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 296 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 315 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 349 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 414 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

S. B. 197 Delivered to the Governor, November 12, 1959, at 9:45 P.M.

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-six Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

DENNIS PORTER,
Chairman.

COMMITTEE REPORT

On motion of Mr. Porter, the foregoing report was concurred in and the Journal of the Senate for the Thirty-sixth Legislative Day was approved by the Senate.

ADJOURNMENT

The hour of 12 o'clock Midnight having arrived, the President and Presiding Officer of the Senate declared the Senate adjourned sine die.

ALBERT BOUTWELL,
Lieutenant Governor and President and Presiding Officer of the Senate.

Attest:
J. E. SPEIGHT,
Secretary of Senate.

ROSTER OF THE SENATE OF ALABAMA

Regular Session 1959

Albert Boutwell, *Lieutenant Governor* Birmingham

Vaughan Hill Robison, *President Pro-Tem* Montgomery

J. E. Speight, *Secretary* Montgomery

Ralph E. Macon, *Assistant Secretary* Wetumpka

First Senatorial District—Lauderdale and Limestone Counties.
E. B. Haltom, Jr. P. O. Box 532, Florence

Second Senatorial District—Lawrence and Morgan Counties.
Robert R. Berryman Box 573, Town Creek

Third Senatorial District—Blount, Cullman and Winston Counties.
Elwood Rutledge P. O. Box 169, Haleyville

Fourth Senatorial District—Madison County.
Dave Archer 204 Eustis St., Huntsville

Fifth Senatorial District—Jackson and Marshall Counties.
D. Donald Word P. O. Box 282, Scottsboro

Sixth Senatorial District—Etowah and St. Clair Counties.
James Ray Wyatt Ashville

Seventh Senatorial District—Calhoun County.
A. C. Shelton Jacksonville

Eighth Senatorial District—Talladega County.
G. Kyser Leonard 516 North St., Talladega

Ninth Senatorial District—Chambers and Randolph Counties.
W. C. (Bill) Hines Lafayette

Tenth Senatorial District—Elmore and Tallapoosa Counties.
Upshaw G. Jones Wetumpka

Eleventh Senatorial District—Tuscaloosa County.
Ryan deGraffenried 1001 First National Bank Building, Tuscaloosa

Twelfth Senatorial District—Fayette, Lamar and Walker Counties.
Woodrow Wilson Roberts Fayette

ROSTER OF THE SENATE OF ALABAMA—Continued

Thirteenth Senatorial District—Jefferson County.
Lawrence (Larry) Dumas 1414 Brown-Marx Building, Birmingham

Fourteenth Senatorial District—Pickens and Sumter Counties.
Aubrey D. Green York

Fifteenth Senatorial District—Autauga, Chilton and Shelby Counties.
Joe W. Graham Box 163, Maplesville

Sixteenth Senatorial District—Lowndes County.
Carl C. Golson Fort Deposit

Seventeenth Senatorial District—Butler, Conecuh and Covington Counties.
R. G. Kendall, Jr. Evergreen

Eighteenth Senatorial District—Bibb and Perry Counties.
Norman R. Crawford Marion

Nineteenth Senatorial District—Choctaw, Clarke and Washington Counties.
Dennis Porter Chatom

Twentieth Senatorial District—Marengo County.
E. O. Eddins Demopolis

Twenty-First Senatorial District—Baldwin, Escambia and Monroe Counties.
Douglas S. Webb P. O. Box 142, Atmore

Twenty-Second Senatorial District—Wilcox County.
Roland Cooper Camden

Twenty-Third Senatorial District—Dale and Geneva Counties.
Rufus Barnett 327 Magnolia St., Ozark

Twenty-Fourth Senatorial District—Barbour County.
James S. (Jimmy) Clark Eufaula

Twenty-Fifth Senatorial District—Coffee, Crenshaw and Pike Counties.
Alton L. Turner Luverne

Twenty-Sixth Senatorial District—Bullock and Macon Counties.
L. K. (Snag) Andrews Union Springs

Twenty-Seventh Senatorial District—Lee and Russell Counties.
Yetta G. Samford, Jr. P. O. Box 272, Opelika

ROSTER OF THE SENATE OF ALABAMA—Continued

Twenty-Eighth Senatorial District—Montgomery County.
Vaughan Hill Robison 1532 Dunbar Ave., Montgomery

Twenty-Ninth Senatorial District—Cherokee and DeKalb Counties.
George E. Godfrey Jamestown

Thirtieth Senatorial District—Dallas County.
Walter C. Givhan Safford

Thirty-First Senatorial District—Colbert, Franklin and Marion Counties.
Hugh Moses Hamilton

Thirty-Second Senatorial District—Greene and Hale Counties.
W. F. Wilson Havana

Thirty-Third Senatorial District—Mobile County.
Will G. Caffey, Jr. P. O. Box 388, Mobile

Thirty-Fourth Senatorial District—Clay, Cleburne and Coosa Counties.
John E. Gaither Heflin

Thirty-Fifth Senatorial District—Henry and Houston Counties.
Carl S. Farmer Abbeville

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

Regular Session 1959

OFFICERS

Chas. C. Adams, *Speaker* Alexander City
Virgis M. Ashworth, *Speaker Pro Tem* Centreville
Oakley Melton, Jr., *Clerk* Montgomery
David W. Crosland, *Assistant Clerk* Montgomery
Richard C. Belser, *Reading Clerk* Montgomery

MEMBERS OF THE HOUSE

Autauga—E. A. (Bud) Grouby Prattville
Baldwin—L. W. Brannan, Jr. Foley

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Barbour—Place No. 1—Sim A. Thomas Eufaula
Place No. 2—McDowell Lee Clio
Bibb—Virgis M. Ashworth Box 381, Centreville
Blount—W. P. Gordon Box 361, Oneonta
Bullock—Place No. 1—M. B. McLendon ... Box 247, Union Springs
Place No. 2—J. B. Powell Box 387, Union Springs
Butler—Place No. 1—F. LaMont Glass 845 Ft. Dale Rd., Greenville
Place No. 2—H. B. Taylor Box 278, Georgiana
Calhoun—Place No. 1—Woodrow Albea ... 1001 Commercial National Bank Bldg., Anniston
Place No. 2—Hugh D. Merrill Box 1486, Anniston
Chambers—Place No. 1—Roy W. McClendon Shawmut
Place No. 2—Charles Reynolds Lanett
Cherokee—Ralph A. Meade Cedar Bluff
Chilton—Francis W. Speaks Box 535, Clanton
Choctaw—Hunter Phillips Butler
Clarke—Place No. 1—Joe C. McCorquodale, Jr. Jackson
Place No. 2—
Clay—Kenneth F. Ingram Ashland
Cleburne—John S. Casey Box 266, Heflin
Coffee—Drexel Cook Elba
Colbert—Kenneth H. Bishop Route 2, Cherokee
Conecuh—Wiley Salter Evergreen
Coosa—Charles R. Franklin Goodwater
Covington—Fletcher Jones Box 741, Andalusia
Crenshaw—Guy Owens Luverne
Cullman—John J. Guthrie Route 3, Cullman
Dale—Henry B. Steagall, II Box 226, Ozark
Dallas—Place No. 1—M. D. (Pete) Gilmer Marion Junction

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Place No. 2—Frank Hardy Route 6, Box 300, Selma

Place No. 3—B. V. Hain Box 155, Selma

DeKalb—Robert E. Harris 2900 Alabama Ave., S. W., Fort Payne

Elmore—Place No. 1—Leonard Johnston Wetumpka

Place No. 2—Hardaway Johnson Eclectic

Escambia—Hugh Rozelle Bank of Atmore Building, Atmore

Etowah—Place No. 1—Buford L. Copeland 524 Chestnut St., Gadsden

Place No. 2—E. K. Hanby 403 Noojin Building, Gadsden

Fayette—James A. Branyon, II Box 600, Fayette

Franklin—W. E. Oden 402 High Street, Russellivlle

Geneva—Roland R. Faulk Samson

Greene—W. L. Martin, Jr. Eutaw

Hale—Place No. 1—Richard M. Avery Greensboro

Place No. 2—Charles H. Ramey Akron

Henry—Place No. 1—Emory R. ("Em") Solomon Headland

Place No. 2—W. Ralph Chambers Route 1, Columbia

Houston—Charles H. Adams Box 975, Dothan

Jackson—Place No. 1—W. Wallace Gross Scottsboro

Place No. 2—Bernard Cabiness 103 Appletree Street, Scottsboro

Jefferson—J. K. (Jess) Edwards 3612 Huntsville Ave., Brighton

John H. Hawkins, Jr. 1841 Montclair Drive, Birmingham

Hugh A. Locke, Jr. 923 Frank Nelson Bldg., Birmingham

Hugh Morrow, III 214 Woodward Bldg., Birmingham 3

Walter Emmett Perry, Jr. 610 Frank Nelson Bldg., Birmingham

Holt Rast Box 1491, Birmingham

Tram Sessions The Liberty National Life Ins. Co. Bldg., Birmingham

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Lamar—Jack Hankins Vernon

Lauderdale—Place No. 1—Robert H. Broadfoot 302 W. Alabama St., Florence

Place No. 2—Charles G. Long Box 297, Florence

Lawrence—Bruce W. Dodd Route 3, Moulton

Lee—Place No. 1—C. C. Torbert, Jr. Opelika

Place No. 2—Pete Turnham 606 Moore Mill Road, Auburn

Limestone—Granville N. Turner Route 2, Toney

Lowndes—Place No. 1—Robert S. Dickson, Jr. Lowndesboro

Place No. 2—A. J. (Jack) Brooks Box 46, Fort Deposit

Macon—Grady Rogers Route 1, Tuskegee

Madison—Place No. 1—N. L. (Luke) Reynolds ... 2225 California St., Huntsville

Place No. 2—Roscoe Roberts, Jr. Terry-Hutchens Bldg., Huntsville

Marengo—Place No. 1—V. Buren Daniel Nanafalia

Place No. 2—Charles B. Grant, Jr. RFD, Demopolis

Marion—John "Pete" Self Box 597, Hamilton

Marshall—Olin C. Hearn Box 31, Albertville

Mobile—Place No. 1—John A. Murphy 817 First Nat'l. Bank Bldg., Mobile

Place No. 2—Joseph M. Hocklander 302 First Federal Savings Bldg., Mobile

Place No. 3—Charles S. Trimmier Box 1133, Mobile

Monroe—Ralph L. Jones Monroeville

Montgomery—Place No. 1—Alfred W. Goldthwaite 26 So. Perry St., Montgomery

Place No. 2—O. J. (Joe) Goodwyn 325 Bell Bldg., Montgomery

Place No. 3—George F. (Bubber) Bailey 2144 Meadow Lane Drive, Montgomery

Place No. 4—J. J. (Junie) Pierce 2038 Myrtlewood Drive, Montgomery

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Morgan—Place No. 1—Albert P. Brewer Box 1487, Decatur
Place No. 2—Bob Gilchrist 504 Short Street, Hartselle
Perry—Place No. 1—Roy A. Barnett Marion
Place No. 2—T. R. Long Uniontown
Pickens—Ulie B. Sullivan Carrollton
Pike—Place No. 1—L. Gardner Bassett 206 Orange St., Troy
Place No. 2—A. L. (Pat) Boyd Box 454, Troy
Randolph—J. M. Jenkins Box 384, Roanoke
Russell—Place No. 1—Homer W. Cornett Box 88, Phenix City
Place No. 2—Joseph W. Smith Box 464, Phenix City
St. Clair—R. Rush (Doc) Smith Ashville
Shelby—John Lewis Cates Columbiana
Sumter—Place No. 1—Jesse E. Harvey Cuba
Place No. 2—Ira D. Pruitt Livingston
Talladega—Place No. 1—Bill Nichols Sylacauga
Place No. 2—Ashley L. Camp, Jr. Box 491, Talladega
Tallapoosa—Place No. 1—Charles C. Adams Alexander City
Place No. 2—J. T. (Tom) Johnson Route 1, Notasulga
Tuscaloosa—Place No. 1—A. K. (Temo) Callahan 913 First Nat'l. Bank Bldg., Tuscaloosa
Place No. 2—Arthur Louis Ferguson 2805 16th Avenue, Northport
Walker—Place No. 1—Alonzo Shumate Box 63, Jasper
Place No. 2—Tom Bevill Jasper
Washington—A. D. Britton, Jr. Box 1111, Millry
Wilcox—Place No. 1—Sam C. Nettles, Jr. Arlington
Place No. 2—Gregory Oakley Pine Apple
Winston—H. E. (Pete) Ray Haleyville

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1939, Act No. 650, p. 1023, General Acts of Alabama, 1939, providing for the distribution of the 1940 Code of Alabama—
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1939, Act No. 664, p. 1050, General Acts of Alabama, 1939, which provides for the levy, assessment, and collection of mileage taxes from motor carriers—
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1943, Act No. 246, p. 203, General Acts of Alabama, 1943, regulating the investment of certain funds of counties, cites and towns—
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1943, Act No. 259, p. 230, General Acts of Alabama, 1943, providing for appeals to the circuit court in counties 400,000 or more population from decisions of the board of equalization—
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1943, Act No. 329, p. 311, General Acts of Alabama, 1943, known as the "Farm-to-Market Road Act of 1943"—
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1943, Act No. 557, p. 544, General Acts of Alabama, 1943, known as the "Uniform Fiduciaries Act"—
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1943, Act No. 587, p. 590, General Acts of Alabama, 1943, relating to the use of trawls for catching sea food—
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1945, Act No. 2, p. 20, General Acts of Alabama, 1945, levying the oil and gas severance tax—
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1945, Act No. 82, p. 79, General Acts of Alabama, 1945, providing for the expansion of port facilities and the issuance of revenue bonds—
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1945, Act No. 115, p. 108, General Acts of Alabama, 1945, changing the name of the commissoin on education with respect to alcoholism—
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1945, Act No. 159, p. 200, General Acts of Alabama, 1945, regulating small loan companies—
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1945, Act No. 245, p. 367, General Acts of Alabama, 1945, creating the office of commissioner of licenses in counties of 140,000 to 400,000 population—
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1945, Act No. 248, p. 376, General Acts of Alabama, 1945, creating a county-wide civil service system in counties 400,000 or more population—
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1945, Act No. 263, p. 407, General Acts of Alabama, 1945, regulating commercial fishing—
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1945, Act No. 296, p. 493, General Acts of Alabama, 1945, relating to fees of arresting officers in game and fish cases—
SB 354, pages 587, 767, 807, 1625, 1706, 1858

1945, Act No. 306, p. 499, General Acts of Alabama, 1945, providing for and regulating the creation of trusts by employers for the benefit of employees—
HB 451, pages 1314, 1344

1945, Act No. 341, p. 554, General Acts of Alabama, 1945, creating the office of land commissioner in the state department of conservation—
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1945, Act No. 412, p. 647, General Acts of Alabama, 1945, providing for the adoption, purchase, and use of textbooks—
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1945, Act No. 455, p. 689, General Acts of Alabama, 1945, authorizing the state docks department to carry fire and casualty and other public liability insurance—
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1945, Act No. 515, p. 734, General Acts of Alabama, 1945, creating the state employees' retirement system of Alabama—
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1947, Act No. 211, p. 74, General Acts of Alabama, 1947, providing for the expansion of port facilities—
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1947, Act No. 322, p. 211, General Acts of Alabama, 1947, relating to licenses for catching shrimp—
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1947, Act No. 351, p. 231, General Acts of Alabama, 1947, creating a department of examiners of public accounts and a supervisory legislative committee—
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1947, Act No. 376, p. 267, General Acts of Alabama, 1947, authorizing group life, health, accident, and hospitalization insurance for certain public employees—
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1947, Act No. 492, p. 338, General Acts of Alabama, 1947, regulating contracts for public works—
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1949, Act No. 27, p. 39, Acts of Alabama, 1949, providing for the printing and publication of acts and journals of the legislature—
SB 111, pages 57, 83, 97, 1604, 1702, 1857

1949, Act No. 178, p. 204, Acts of Alabama, 1949, authorizing cities and counties to engage in certain historical research—
SB 201, pages 182, 770, 1596, 1808, 1825, 1858

1949, Act No. 207, p. 242, Acts of Alabama, 1949, known as the "Alabama Coal Mine Safety Law of 1949"—
SB 277, pages 452, 535, 570, 1304, 1326, 1461

1949, Act No. 424, p. 601, Acts of Alabama, 1949, regulating absentee voting at elections—
SB 29, page 17
SB 53, pages 22, 85, 154, 156, 253, 290, 570, 618, 729, 1608, 1704, 1857

1949, Act No. 530, p. 835, Acts of Alabama, 1949, regulating through licensure hospitals, sanatoria, rest homes, nursing homes, and related institutions—
HB 158, pages 232, 274, 519, 581

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1951, Act No. 173, p. 409, Acts of Alabama, 1951, regulating the operation of livestock markets—
HB 237, pages 390, 501, 736, 749
SB 155, pages 107, 187, 738

1951, Act No. 175, p. 416, Acts of Alabama, 1951, providing for the incorporation of a municipal public corporation for the financing and construction of public utilities—
SB 153, pages 95, 113, 168, 231, 244, 253

1951, Act No. 311, p. 606, Acts of Alabama, 1951, regulating the office of sheriff in counties of more than 96,000 and less than 140,000 population—
SB 311, pages 526, 558, 603, 851, 876, 1461

1951, Act No. 320, p. 612, Acts of Alabama, 1951, prescribing the penalty for transporting or removing from this state any dead body which has not been embalmed or cremated—
HB 186, pages 229, 240, 996, 1021

1951, Act No. 321, p. 612, Acts of Alabama, 1951, providing for the filing of names of public assistance recipients—
HB 159, pages 198, 376

1951, Act No. 476, p. 840, Acts of Alabama, 1951, creating the division of seafoods in the state department of conservation—
HB 465, pages 1270, 1649, 1818, 1843

1951, Act No. 691, p. 1192, Acts of Alabama, 1951, fixing the compensation of court reporters—
SB 267, pages 439, 895, 1040, 1311, 1325, 1462

1951, Act No. 703, p. 1211, Acts of Alabama, 1951, creating state and county boards and departments of public welfare—
SB 66, pages 25, 242

1951, Act No. 704, p. 1224, Acts of Alabama, 1951, known as the "Motor Vehicle Safety-Responsibility Act"—
SB 124, pages 78, 111, 161, 303, 309, 485

1951, Act No. 813, pp. 1426-1447, Acts of Alabama, 1951, relating to form of government for cities having a population of 75,000 to 125,000—
SB 293, pages 490, 534, 566, 740, 773, 1461
HB 610, pages 704, 726, 799, 867

1951, Act No. 929, p. 1579, Acts of Alabama, 1951, relating to the retirement system for officers and employees of cities of 250,000 or more population—
HB 783, pages 838, 900, 994, 1017

1953, Act No. 247, p. 311, Acts of Alabama, 1953, relating to retention and disposition of bank records—
HB 713, pages 1315, 1344, 1848, 1854

1953, Act No. 325, p. 382, Acts of Alabama, 1953, fixing the compensation of members of governing body of cities 78,500 to 125,000 population—
SB 314, pages 527, 558, 604, 847, 874, 1461

ACTS AMENDED, GENERAL ACTS—Continued

1953, Act No. 443, p. 549, Acts of Alabama, 1953, providing law clerks for justices of the supreme court—
SB 175, pages 110, 318, 1002, 1022, 1809, 1825, 1858

1953, Act No. 474, p. 589, Acts of Alabama, 1953, providing for the appointment of supernumerary circuit solicitors—
SB 128, pages 78, 456, 521, 852, 876, 1461

1953, Act No. 527, p. 734, Acts of Alabama, 1953, authorizing foreign corporations to engage in certain activities within the state without qualifying to do business in the state or without payment of certain taxes—
SB 426, pages 1055, 1065

1953, Act No. 666, p. 923, Acts of Alabama, 1953, providing a scholarship program for medical education—
SB 61, pages 25, 456, 517, 751, 774, 1461

1953, Act No. 724, p. 979, Acts of Alabama, 1953, providing for the appointment of law clerks to the judges of the court of appeals—
SB 178, pages 151, 319, 1023, 1809, 1825, 1858

1953, Act No. 737, p. 1000, Acts of Alabama, 1953, providing for the disposition of revenue derived from the sale of sand and gravel from public water bottoms and certain state lands—
SB 12, pages 7, 82, 91, 228, 243, 253

1953, Act No. 784, p. 1069, Acts of Alabama, 1953, regulating commercial fishing—
SB 183, page 158

1953, Act No. 792, p. 1085, Acts of Alabama, 1953, providing for the disposition of revenue derived from the sale of timber and timber products from lands owned by the division of state parks, monuments, and historical sites—
SB 16, pages 8, 82, 92, 228, 243, 253

1955, Act No. 69, p. 179, Acts of Alabama, 1955, fixing the compensation of the director of the legislative reference service—
SB 104, page 56
HB 208, pages 231, 319, 506, 560, 580

1955, Act No. 103, p. 345, Acts of Alabama, 1955, relating to harbors and seaports—
SB 297, pages 493, 532

1955, Act No. 103, pp. 345-348, Acts of Alabama, 1955, establishing the Alabama docks department—
SB 297, pages 493, 532

1955, Act No. 297, p. 652, Acts of Alabama, 1955, regulating the operation of cemeteries in counties 94,000 to 134,000 population—
HB 145, pages 147, 185, 249, 269

1955, Act No. 308, p. 707, Acts of Alabama, 1955, providing for the issuance of distinctive license tags for motor vehicles owned by members of the national guard and air national guard—
SB 235, pages 239, 320, 522, 846, 873, 1461

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1955, Act No. 313, p. 711, Acts of Alabama, 1955, providing for the reidentification of voters in counties 56,500 to 72,500 population—
HB 168, pages 132, 186, 250, 270

1955, Act No. 335, p. 756, Acts of Alabama, 1955, fixing the salary of the stenographer and secretary to the circuit solicitor of the sixth judicial circuit—
HB 655, pages 666, 896

1955, Act No. 339, p. 761, Acts of Alabama, 1955, relating to the office of circuit solicitor of the fourth judicial circuit—
SB 450, page 1186

1955, Act No. 476, p. 1084, Acts of Alabama, 1955, creating the office of deputy circuit solicitor of the twenty-third judicial circuit—
SB 266, pages 439, 589
HB 1032, pages 1538, 1629, 1753, 1767

1956, Act No. 65, p. 357, Acts of Alabama, 1956, prescribing power of the recorders court in cities of 300,000 or more population to impose penalties for violating ordinances prohibiting certain immoral acts—
HB 983, pages 1261, 1341, 1673, 1710, 1737

1956, Act No. 104, p. 148, Acts of Alabama, 1956, providing for the designation and establishment of controlled access facilities—
SB 262, page 418
SB 392, page 879

1956, Act No. 110, p. 166, Acts of Alabama, 1956, levying a license tax on trading stamps in counties 400,000 or more—
HB 596, pages 900, 1009

1957, Act No. 343, p. 452, Acts of Alabama, 1957, regulating state purchasing—
HB 366, pages 386, 531

1957, Act No. 603, p. 862, Acts of Alabama, 1957, requiring fees for the examination of banks, credit unions, and small loan companies—
HB 10, pages 233, 316, 547, 580
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1957, Act No. 653, p. 981, Acts of Alabama, 1957, regulating and licensing cosmetologists—
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HB 717, pages 1538, 1648, 1804, 1828, 1848
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1957, Act No. 737, pp. 1158-1159, Acts of Alabama, regulating the operation of the county board of equalization in counties 80,000 to 94,000 population—
HB 1071, pages 1401, 1593, 1683, 1728

1957, Act No. 743, p. 1173, Acts of Alabama, 1957, providing for a refund of state tax on gasoline used for certain agricultural purposes—
SB 284, pages 488, 535, 1031, 1624, 1858

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1959, Act No. 75, 1959 First Special Session, relating to records of proceedings, resolutions, and ordinances adopted by boards of commissioners in certain cities having commission form of government—
HB 873, pages 1539, 1649, 1801, 1841
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1959, Act No. 98, 1959 Regular Session, general appropriation act—
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SB 336, pages 554, 1008
SB 424, pages 1004, 1347
HB 672, pages 751, 894, 1033, 1048
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1959, Act No. 100, 1959 Regular Session, levying state sales and use taxes—
HB 594, pages 872, 895, 1026, 1035, 1047
HB 975, pages 1139, 1192, 1320, 1587

1959, Act No. 297, 1959 Regular Session, mourning death of Judge William Ora Walton—
SJR 37, pages 1320, 1456, 1586, 1857

ACTS AMENDED, LOCAL ACTS

Autauga County, Act No. 222, Local Acts of Alabama, 1878, p. 248, establishing the board of revenue—
HB 693, pages 946, 1161, 1356, 1587

Autauga County, Act No. 77, p. 55, Local Acts of Alabama, 1947, creating the office of county solicitor—
HB 691, pages 815, 896, 982, 1018

Autauga County, Act No. 445, p. 303, Local Acts of Alabama, 1947, creating the court of common pleas—
HB 648, pages 662, 728, 803, 870

Baldwin County, Act No. 220, Local Acts of Alabama, 1931, pp. 83-84, relating to the county fine and forfeiture fund—
HB 1011, pages 1415, 1642, 1729, 1764

Bibb County, Act No. 17, p. 43, Local Acts of Alabama, 1957, levying sales and use taxes—
HB 937, pages 1293, 1338, 1667, 1724

Blount County, Act No. 350, p. 213, Local Acts of Alabama, 1935, relating to employment and compensation of a deputy sheriff—
SB 445, pages 1181, 1333

Blount County, Act No. 110, p. 65, Local Acts of Alabama, 1943, relating to the salary of the jailer—
SB 446, pages 1182, 1333

Blount County, Act No. 111, p. 65, Local Acts of Alabama, 1943, relating to employment and compensation of a deputy sheriff—
SB 444, pages 1180, 1333

Blount County, Act No. 57, p. 86, Acts of Alabama, 1956, levying a tax on gasoline—
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Calhoun County, Act No. 608, p. 1045, Acts of Alabama, 1951, creating the policemen's and firemen's retirement fund for the city of Anniston—
HB 478, pages 463, 495, 539, 578

Chambers County, Act No. 496, p. 624, Acts of Alabama, 1953, relating to salaries, offices, and duties of certain officials—
HB 657, pages 741, 899, 993, 1027, 1037

Chambers County, Act No. 502, p. 1150, Acts of Alabama, 1955, providing for the appointment and compensation of a deputy to the circuit clerk—
HB 28, pages 72, 154, 201, 207

Cherokee County, Act No. 314, p. 200, Local Acts of Alabama, 1939, authorizing the levy of a gasoline tax—
HB 870, pages 1225, 1335, 1695, 1721

Cherokee County, Act No. 261, p. 606, Acts of Alabama, 1955, relating to the construction, maintenance, and repair of county roads and bridges—
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Chilton County, Act No. 872, p. 1505, Acts of Alabama, 1951, establishing the board of revenue and control—
SB 370, pages 756, 784, 904, 1304, 1327, 1461

Choctaw County, Act No. 156, p. 67, Local Acts of Alabama, 1927, providing for the election, term, qualifications, compensation, powers, duties, and authority of the superintendent of education—
HB 387, pages 283, 308, 399, 411

Choctaw County, Act No. 581, p. 909, Acts of Alabama, 1949, providing for clerical assistance to the tax assessor and tax collector—
HB 444, pages 378, 457, 511, 582

Clarke County, Act No. 64, p. 175, Acts of Alabama, 1955, creating the office of special deputy sheriff—
HB 942, pages 1251, 1339, 1503, 1600

Coffee County, Act No. 652, p. 409, Local Acts of Alabama, 1947, providing for meetings and compensation of members of the board of education—
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Colbert County, Act No. 32, p. 25, Local Acts of Alabama, 1947, establishing the law and equity court—
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Colbert County, Act No. 243, p. 308, Acts of Alabama, 1957, authorizing an election for determining whether an additional privilege or excise tax on tobacco may be levied—
SB 472, pages 1330, 1594
HB 1131, pages 1497, 1641, 1792, 1840

Conecuh County, Act No. 472, p. 319, Local Acts of Alabama, 1939, regulating the office of county superintendent of education—
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Coosa County, Act 328, p. 617, Acts of Alabama, 1951, providing for the appointment of an additional deputy by the sheriff—
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Covington County, Act No. 460, Acts of Alabama, 1953, providing a special fund for the use of the solicitor and judge of the twenty-second judicial circuit—
HB 889, pages 1228, 1337, 1666, 1722

Cullman County, Act No. 297, p. 379, Acts of Alabama, 1957, fixing the compensation of certain officers—
HB 192, pages 136, 186, 252, 270
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Dallas County, Act No. 151, p. 396, Acts of Alabama, 1955, authorizing the court of county revenues to expend county funds for purposes not otherwise provided by law—
SB 58, pages 22, 83, 98, 168, 178

Dallas County, Act No. 194, pp. 245-254, Acts of Alabama, 1957, creating the county court—
HB 871, pages 1247, 1337, 1669, 1721

DeKalb County, Act No. 31, p. 77, Acts of Alabama, 1957, relating to the construction, maintenance, and repair of county roads and bridges by the state highway department—
HB 1016, pages 1435, 1642, 1793, 1836

DeKalb County, Act No. 637, p. 956, Acts of Alabama, 1957, creating the superior court—
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Elmore County, Act No. 17, pp. 229-231, Acts of Alabama, 1955, regulating fishing in Elmore and Tallapoosa Counties—
HB 580, pages 677, 724, 793, 865

Franklin County, Act No. 201, p. 462, Acts of Alabama, 1951, relating to appointment of a deputy sheriff—
HB 1005, pages 1426, 1641, 1792, 1836

Geneva County, Act No. 383, p. 176, Local Acts of Alabama, 1931, creating the county board of school commissioners—
HB 1089, pages 1521, 1645, 1800, 1839

Geneva County, Act No. 538, p. 329, Local Acts of Alabama, 1939, establishing the inferior court—
HB 972, pages 1282, 1336, 1661, 1726

Greene County, Act No. 10, p. 1, Local Acts of Alabama, 1947, levying a beer tax—
HB 483, pages 467, 497, 540, 579

Greene County, Act No. 149, p. 383, Acts of Alabama, 1951, regulating the construction of roads and bridges—
HB 589, pages 689, 724, 794, 866

Hale County, Act No. 61, p. 89, Acts of Alabama, 1953, establishing the board of revenue—
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Houston County, Act No. 273, p. 196, Local Acts of Alabama, 1947, creating a civil service system for the city of Dothan—
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Jefferson County, Act No. 467, p. 637, Acts of Alabama, 1957, creating the criminal court—
HB 427, pages 380, 457, 510, 582

Lauderdale County, Act No. 296, p. 426 to 433, Acts of Alabama, 1949, levying sales and use taxes—
HB 974, pages 1276, 1340, 1671, 1726

Lawrence County, Act No. 147, p. 86, Local Acts of Alabama, 1947, providing for the appointment of a deputy clerk to the circuit clerk—
HB 842, pages 1223, 1337, 1663, 1721

Lawrence County, Act No. 25, 1959 First Special Session, levying sales and use taxes—
HB 1130, pages 1491, 1645, 1715, 1765

Lee County, Act No. 220, p. 312, Acts of Alabama, 1949, creating the office of county solicitor—
HB 599, pages 696, 726, 798, 867

Lee County, Act No. 242, p. 361, Acts of Alabama, 1949, creating the court of common pleas—
HB 601, pages 700, 726, 799, 867

Limestone County, Act No. 199, Local Acts of Alabama, 1947, creating the county court—
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Limestone County, Act No. 10, p. 27, Acts of Alabama, 1951, fixing the compensation of the superintendent of education—
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Limestone County, Act No. 355, p. 423, Acts of Alabama, 1953, fixing compensation of the sheriff and providing for appointment of deputies and assistants—
HB 1027, pages 1408, 1635, 1777, 1831

Limestone County, Act No. 68, p. 106, Acts of Alabama, 1957, levying sales and use taxes—
HB 1075, pages 1401, 1644, 1728, 1765

Macon County, Act No. 334, p. 225, Local Acts of Alabama, 1939, creating the board of revenue—
HB 492, pages 503, 534, 561, 578

Madison County, Act No. 470, p. 329, Local Acts of Alabama, 1947, creating the office of chief clerk to the circuit solicitor of the twenty-third judicial circuit—
HB 603, pages 702, 726, 799, 867

Madison County, Act No. 8, p. 114, Acts of Alabama, 1955, creating the office of chief clerk to the register of the circuit court—
HB 1076, pages 1393, 1646, 1800, 1838

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Marengo County, Act No. 311, p. 188, Local Acts of Alabama, 1923, establishing the board of revenue—
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Marion County, Act No. 58, p. 170, Acts of Alabama, 1955, levying a privilege license tax on electric and hydro-electric public utilities—
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Mobile County, Act No. 242, p. 363, Local Acts of Alabama, 1875, regulating the operation of public schools—
SB 208, pages 203, 242, 277

Mobile County, Act No. 470, p. 298, Local Acts of Alabama, 1939, establishing the county personnel department—
HB 1115, page 1531

Mobile County, Act No. 594, p. 355, Local Acts of Alabama, 1939, placing the sheriff on a salary—
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Mobile County, Act No. 362, p. 536, Acts of Alabama, 1949, regulating the operation of public libraries—
HB 917, pages 1233, 1338, 1666, 1723
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Mobile County, Act No. 13, pp. 122-123, Acts of Alabama, 1955, providing for the appointment of an assistant treasurer—
HB 882, pages 1211, 1593, 1680, 1711, 1737

Mobile County, Act No. 16, pp. 124-125, Acts of Alabama, 1955, establishing the positions of administrative assistant and of legal stenographer to the circuit solicitor of the thirteenth judicial circuit—
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Mobile County, Act No. 216, p. 273, Acts of Alabama, 1957, providing for the appointment of bailiffs by the judges of the court of general sessions—
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Montgomery County, Act No. 222, p. 125, Local Acts of Alabama, 1939, consolidating the administration of all city and county public schools—
SB 281, pages 454, 498, 545, 739, 774, 1461, 1706

Montgomery County, Act No. 240, p. 165, Local Acts of Alabama, 1947, requiring a county pension plan—
SB 273, pages 449, 498, 544, 739, 773, 1460

Morgan County, Act No. 415, p. 194, Local Acts of Alabama, 1919, establisinhg the county court—
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Morgan County, Act No. 361, p. 248, Local Acts of Alabama, 1939, prescribing the compensation and duties of the tax assessor—
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Pickens County, Act No. 279, p. 168, Local Acts of Alabama, 1935, providing for the election of the superintendent of education—
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Pike County, Act No. 634, p. 366, Local Acts of Alabama, 1939, regulating the compensation of deputy sheriffs—
HB 614, pages 706, 727, 802, 868

Pike County, Act No. 165, p. 193, Acts of Alabama, 1949, providing for an additional deputy sheriff—
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Shelby County, Act No. 179, p. 206, Acts of Alabama, 1949, creating the board of revenue and control—
HB 131, pages 129, 185, 249, 269

St. Clair County, Act No. 109, p. 59, Local Acts of Alabama, 1937, providing for the appointment, duties, term, qualifications, and compensation of the superintendent of education—
HB 303, pages 280, 374, 415, 419

St. Clair County, Act No. 691, p. 179, Acts of Alabama, 1957, fixing the compensation of the coroner—
SB 268, pages 439, 498, 543, 739, 772, 1460

Talladega County, Act No. 733, p. 1281, Acts of Alabama, 1951, creating the intermediate court—
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Tallapoosa County, Act No. 17, pp. 229-231, Acts of Alabama, 1955, regulating fishing in Elmore and Tallapoosa counties—
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Tuscaloosa County, Act No. 56, p. 76, Acts of Alabama, 1953, levying sales and use taxes—
HB 803, pages 840, 898, 990, 1021, 1316, 1323

Winston County, Act No. 539, pp. 357-358, Local Acts of Alabama, 1931, providing for a board of education—
HB 964, pages 1303, 1336, 1664, 1725

Winston County, Act No. 242, pp. 553-555, Acts of Alabama, 1955, establishing the law and equity court—
HB 963, pages 1301, 1336, 1664, 1724

Winston County, Act No. 291, p. 369, Acts of Alabama, 1957, requiring the state department of revenue to collect sales and use taxes levied in city of Haleyville—
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1943, Act No. 560, p. 552, General Acts of Alabama, 1943, regulating the labeling, sale, or distribution of agricultural, vegetable, flower and herb seeds—
SB 372, page 765

1945, Act No. 74, p. 72, General Acts of Alabama, 1945, requiring courthouses to be closed one half day each week—
HB 568, pages 1445, 1651

1949, Act No. 424, p. 601, Acts of Alabama, 1949, regulating absentee voting at primary, general, special, and municipal elections—
SB 98, pages 52, 86, 159

1951, Act No. 116, p. 343, Acts of Alabama, 1951, prohibiting the obtaining of money or property or the payment of any obligation by means of a worthless check or draft—
HB 36, pages 999, 1343, 1717, 1745, 1763

1951, Act No. 508, p. 899, Acts of Alabama, 1951, providing for the appointment and compensation of a deputy to the sheriff in counties 30,000 to 33,500 population and having two courthouses—
HB 317, pages 216, 374, 423, 459

1951, Act No. 712, p. 1250, Acts of Alabama, 1951, creating the state bureau of publicity and information—
SB 361, pages 721, 895

1951, Act No. 989, p. 1665, Acts of Alabama, 1951, providing for the seizure, holding, and sale of animals found running at large—
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1953, Act No. 152, p. 195, Acts of Alabama, 1953, regulating the compensation of the superintendent of education in counties 20,900 to 22,400 population—
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1955, Act No. 103, p. 345, Acts of Alabama, 1955, relating to harbors and seaports—
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1955, Act No. 335, p. 756, Acts of Alabama, 1955, fixing the compensation of the secretary to the solicitor of the sixth judicial circuit—
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1956, Act No. 110, p. 182, Acts of Alabama, 1956, regulating and licensing the sale, use, or distribution of trading stamps—
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1957, Act No. 430, p. 593, Acts of Alabama, 1957, regulating payment of supplemental benefits to beneficiaries of municipal

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1957, Act No. 669, p. 1013, Acts of Alabama, 1957, regulating the compensation of certain employees of counties 63,750 to 72,750 population—
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Cherokee County, Act No. 261, pp. 606-609, Acts of Alabama, 1955, providing for construction and maintenance of roads and bridges by the state highway department—
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Elmore County, Act No. 171, pp. 436-437, Acts of Alabama, 1955, changing the method of compensating certain county officers—
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Escambia County, Act No. 19, p. 48, Acts of Alabama, 1955, creating the office of commissioner of education—
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Franklin County, Act No. 216, pp. 521-525, Acts of Alabama, 1955, levying sales and use taxes for school purposes—
HB 1003, pages 1417, 1644, 1797, 1836

Greene County, Act No. 24, 1959 First Special Session, levying sales and use taxes for public school purposes—
HB 707, pages 818, 896, 983, 1022, 1027

Mobile County, Act No. 241, p. 139, Local Acts of Alabama, 1935, relating to the compensation of the tax collector and his assistants—
SB 434, pages 1108, 1163, 1355, 1550, 1602, 1857

Mobile County, Act No. 242, p. 141, Local Acts of Alabama, 1935, relating to the compensation of the tax assessor and his assistants—
SB 434, pages 1108, 1163, 1355, 1550, 1602, 1857

St. Clair County, Act No. 516, p. 231, Local Acts of Alabama, 1943, providing for the appointment of an additional deputy—
SB 318, pages 527, 559, 604

Talladega County, Act No. 428, p. 763, Acts of Alabama, 1951, creating a civil service board for employees of the city of Sylacauga—
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Tallapoosa County, Act No. 286, p. 328, Local Acts of Alabama 1878-1879, fixing the boundaries of the town of Dadeville—

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Marengo County, compensation and expense allowance—
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